Fle 140
Legs 136

1940-41
Legs

(61)
Restd.
9/7/49

PRESERVED

Serial number

A' for July 1945

The Mysore Election Offences
and Enquiries Act 1941.
I of 1941

To The Compiler, Mysore Gazette.

[No. P. 4016 - Legs 36-40-1 dated 4.2.41]

Orders that the Act do provide for the
punishment of malpractices in connection
elections and to make further provisions for the
conduct of enquiries in regard to disputed elections
in Legislature

Published as Act I of 19

MALPRACTICES AT ELECTIONS.

General and Revenue Secretariat | File No. 98/Rl of 193. | [App. F. III—2

Serial No.

Chapter VIII of the Representative Assembly and the Legislative Council Rules, 1940, has for the first time in Mysore introduced rules for the prevention of corrupt practices like personation, bribery and undue influence at elections. According to these rules any person who is proved, in the course of any enquiry into an election petition, to have committed any of these corrupt practices will be disqualified from voting or for standing as a candidate for a period of four years. His vote will not be taken into account in the counting of votes, and under certain circumstance the election itself may be declared to be void.

2. There is, however, no law in Mysore penalising the commission of corrupt practices and rendering any person guilty of such practices liable to punishment by way of imprisonment or fine or both. There is no law of corrupt practices as part of the penal law of the land.

3. In British India this subject is dealt with by the Election Offences and Inquiries Act, 1920. The Act consists of two parts. The first part penalises the five offences of bribery, undue influence, personation, publication of false statements of fact and the failure to keep accounts. By part II provision is made for the conduct of enquiries in regard to disputed elections to the legislative bodies constituted under the Government of India Act, as for instance, powers of the Commissioners appointed to enquire into disputed elections, obligation of witnesses to answer and the maintenance of secrecy of voting.

4 Till 1920 there was no law on the subject in Briti India. The Joint Parliamentary Committee appointed to report on the Mont-ford Reforms said: "The Committee a firmly convinced that a complete and stringent Corrupt Practices Act should be brought into operation before the first elections to the Legislative Councils under t Government of India Act 1919. There is no such Act at present in existence in India and the Committee are con vinced that it will not be less required in India than is in other countries." Accordingly, the Indian Elect Offences and Enquiries Act, 1920, was brought into forc before the elections under the Mont-ford Reforms were held in October 1920.

5 In England, this matter is dealt with by the Corru and Illegal Practices Prevention Act of 1883.

6 In view of the fact that the Reforms now sanctioned n Mysore have brought into existence an enlarged electc the greater responsibilities conferred on the two Houses nd the keenness with which elections may be expected tc e contested in future, it is desirable to introduce a similar measure in Mysore with a view to ensuring tha+ he elections are free and are conducted in a healthy tmosphere. The allegations which were made at the ecent sessions of the Representative Assembly and th egislative Council by some members regarding the pre- alence of corrupt practices at the District Board el end to emphasise the imperative need of bringing a l f this kind into force immediately

7 A Bill on the lines of the Indian Election Offen nd Enquiries Act,1920, will, if approved, be framed a

General and Revenue Secretariat | File No. 98/21 of 193 | [App. F. III—2 3

Serial No.

OFFICE OF THE FIRST MEMBER OF COUNCIL
AUG 22 1940
No. 1893

submitted for consideration. Its general principles may be placed before the Representative Assembly at the coming session of that Chamber. The Bill will be a short one consisting of about 14 clauses, and thus admits of the Legislative process of the three readings and reference to a Select Committee being dispensed with. It may therefore be passed at a single sitting of the Legislative Council in January 1941, so that the sanctions of the new enactment may be available for application to the elections which are to be held in February 1941.

OFFICE OF THE FIRST MEMBER OF COUNCIL
AUG 20 1940
No. 1814

JMW 20/8

Law Secy) 8 A Bill on the lines of Act XXIX of 1920 to be framed and placed before the Assembly.

I Member) Hyn 20/8/40 JMW 20/8

9 JMW 21/8/40

Hyn 21/8/40 JMW 21/8

10 A Bill is submitted for consideration. The statement of objects and reasons, however, is to be taken from the British Indian Bill, as the Govt of India Gazettee of 1920 is not available.

JMW 21/8

Law Secy) 11 May be approved

I Member) Hyn 22/8/40 JMW 22/8

NOTE—Contn. Sheet.

WD 0284—GPB—30,000—13-8-37

Bill relating to
Malpractices at elections

e No. 98/RL of 193 . 4

General and Revenue Secretariat

DE... OFFICE
2... 1940
NO. 1474.

OFFICE OF THE
FIRST ME... COUNCIL
AUG 31 1940
No. 219/

13 The bill seems to be suitable. May
be subd to the Dewan for orders as to
whether it may be dealt with by circulation
as a consent case.

Nil
31/8/40

Dewan.) Hm
2/9/40
JMM 2/9

4 Mr
2-9-40

For Disposal by Circulation. **No. C. 1259**

1940-41

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

Bill relating to Malpractices at Elections.

18 *Circulated to the Members of Council.*

By Order,

Chief Secretary to Government.

4th September 1940.

First Member of Council. (Seen)

19.

2407/9.40 **Second Member of Council.** 9.9.40

Law

A BILL REGARDING MALPRACTICES AT ELECTIONS

98
RL

General and Revenue Secretariat
R. A. & L. C.

R.A File No. of 1940-41

[App. F. III–2

Serial No.	
16486	D. 7. N. is put up for Consideration 2802 11.9.40. Law Secy) MMV 11/9
OFFICE OF THE [illegible] COUNCIL SEP 13 1940 No 2992	21 D. 7. N. submitted I Member) Hm 2 11/9/40. 22 Signed F. N. is placed in file. MMV 11/9 C.C. 12/9/40.
	23. S. N. submitted 24) Dewan) TM 2 13/9/40 MMV 13/9

Final Note by the First Member of Council.

Subject.—

A Bill dealing with malpractices at elections.

These papers relate to a Bill dealing with malpractices at elections.

The recent enactment of the Government of Mysore Act, 1940 and publication of the rules thereunder, has resulted in a considerable widening of the franchise and will bring into existence shortly, an enlarged electorate for both the Representative Assembly and the Legislative Council. An amendment of the Mysore District Boards Act has similarly resulted in a corresponding widening of the franchise of these bodies.

As elections will play an important part in the new public life of Mysore, it is considered desirable that public conscience should be markedly drawn to the danger of corrupt practices in relation to the franchise both in respect of Legislative and Local Bodies in the State. In order to safeguard the free and unhampered exercise of the vote and with a view to ensure the successful working of the system of elections, it is considered necessary that the principle of the purity of the franchise should be insisted on in the criminal law as in force in Mysore. Accordingly, a Bill on the lines of the Indian Election Offences and Enquiries Act, 1920, has been framed and is proposed to be passed into law.

The Dewan and the Second Member of Council are agreeable to the enactment of the proposed measure. I solicit the gracious approval of His Highness to place the general principles of the Bill before the ensuing Dasara Session of the Representative Assembly (October 1940) and introduce the Bill itself thereafter before the Legislative Council.

N. Madhava Rau

MEMBER OF COUNCIL.

Bangalore,
12th September 1940.

Submitted to His Highness

I submit herewith a Final Note by the FIRST *Member of Council on the subject of* a Bill dealing with malpractices at elections,

for His Highness' gracious approval.

Bangalore,
13t.

Mirza M. Ismail
Dewan.

Record of Cases submitted for the Orders of

His Highness the Maharaja.

(9

Subject.

Bill dealing with malpractices at elections.

Order.

JRW.
16/9/40.

General and Revenue
Secretariat.

1931 pbld

e.125

SUBJECT:—

Bill dealing with malpractices at elections

(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

.....Law.....Department.

19/9/40

FIRST MEMBER OF COUNCIL. (Seen)

2802
19.9.40

SECOND MEMBER OF COUNCIL.

19. 9. 40

Law Secy with compliments.

19/9

WD 01152—GPB—750—21-12-38

proof
Br.

20/9/40

2019

Election expenses Bill

General and Revenue Secretariat | File No. 98/41 of 194 | [App. F. III-2

Serial No.

Typing -

To kindly make 4 copies of the Statement of General Principles (Flag P.)

Sgn 23/9

JMcK 23/9

The Typing Section has taken three days to return the file without the matter covering a page and a half typed. The matters may be sent back there and got typed in the course of the day.

JMcK 23/9

Copies of the statement will be sent to the R.A. Office for further action. Copies are kept for being circulated

Sgn 23/9

JMcK 23/9

Copies taken. [The Bill has been sent to the Press for getting 50 copies as directed by the Asst. Secretary in person.

23/9

Returned with 50 printed copies of the Bill.
Protection Branch

9.10.40

Seen. The bill requires careful scrutiny. It contains some clerical mistakes, one of which was pointed out in the R A Office. Another was pointed out to the Case worker by me

10/10/40

Protection Branch

18/10/40.

JMcK 18/10

TYPING SECTION 20 SEP. 1940 GEN. & REV. SECTT.

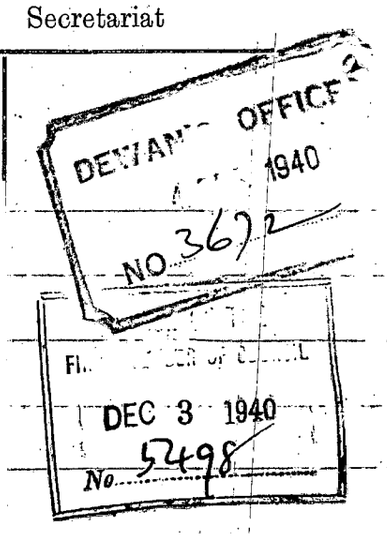
OFFICE OF THE SECRETARY 23 SEPT. 1940 REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL

OFFICE OF THE FIRST MEMBER OF COUNCIL OCT 17 1940 No. 3737

Elections (Expenses) Bill 1931 (12)

File No. of 194 General and Revenue Secretariat

Serial No.



The general Principles you ... before the R.A. during its recent session and accepted by that House after discussion.

The Bill has been scrutinized and Corrected. Submitted for ado. if it may be published under rule 8 of the Rules of Business of the Le... The Statement of general Principles will, if approved, be adopted as the Statement of Objects and Reaso...

Also When Bill may be published in the Gazette, the statement of general principles being adopted as the statement of objects and

11/P. Election Offences Bill D 1317

General and Revenue Secretariat | File No. | of 194 | [App. F. III-2 (13.

Serial No.

The Bill has been published in the Gazette of the 12th December 1940

Reference is invited to para 7 of the Note wherein it is stated that reference to a Select Committee may be dispensed with

Submitted for orders if the following Motion may be got included in the Agenda of the L.C.

1. Motion that the Bill published under rule 8 of the rules of Business, be read in Council

Move 1st Member

Seconds Law Secretary

2. Motion that the Rules of Business and Standing Orders be suspended and the Bill be taken into Consideration at once without reference to a Select Committee

Move: 1st Member

Seconds: Law Secretary

3. Motion that the Bill be passed

Move: 1st Member

Seconds: Law Secretary.

31/12/40. MLV.

Law Secy)

I Member)

Hm 2 31/12

MLV 31/12/40

Hm 31/12 MLV 2/1

L.C. file

for kind note and return

2/1/41 Noted & returned.

4.1.41

Section Officer

Election Offences Bill

File No. of 194 | General and Revenue Secretariat

Serial No.

The Bill was introduced in the Legislative Council at its recent session and passed by it at one sitting after suspending the Rules of Business and Standing Orders.

A D.F.N. is put up for ad

Submitted to His Highness.

On the 16th September 1940, the gracious approval of His Highness was accorded to place the general principles of the Election Offences and Inquiries Bill before the Dasara Session of the Representative Assembly (October 1940) and to introduce th Bill itself thereafter before the Legislative Council.

The statement of general principles was placed before the Representative Assembly in October 1940 and approved by it. The Legislative Council in which the Bill was introduced at its recen sitting, has passed the Bill at one sitting after suspending the Rules of Business and Standing Orders.

I solicit the gracious assent of His Highness to promulgat the Bill into law.

First Member of Council,
(In charge of the current duties of Dewa

Camp Mysore,
23rd January 1941.

(16)

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Promulgation of the Election Offences and Inquiries Bill.

Order.

RW.
27/1/'41.

Chief Secy
NCM
29/1/41

MS
29.1.41

1531/p 3/42

C 390.

General and Revenue Secretariat.

SUBJECT:—

Promulgation of the Electro- offences and Inquiries Bill

(*)

31 All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness, orders before/~~after~~ issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

.....Law.....Department. 30/1/41

FIRST MEMBER OF COUNCIL. (Sent)

7863
30.1.41

SECOND MEMBER OF COUNCIL. 30/1

Law Secy with comments.

31/1/41

WD 01183—GPB—500—16-10-40

31/1/41

Election offences ~~Bill~~ Act 1931.
P

eneral and Revenue Secretariat | Legn File No. 36 of 1940. [App. E. III-2

Serial No.

The gracious sanctioning of His Highness has been accorded on the 27th January 1941 to promulgate the Bill into law.

A draft G.O. directing publication of the Act as Act 20 of 1941 is put up for order

5/2
1.2.41

JWW
1/2

Law Secy)

Hm
2
3/2/41
Secretary
JWW
3/2

G. R. S. VI.—s-III/14]

DRAFT.

SUBJECT.....

.....

.....

Section. Legis
File No. 36 – 41
Serial No. 1

Diary No. of letter replied to.....

Proceedings of the Government of H. H. the Maharaja of Mysore.

Order No. D 4016

GENERAL AND REVENUE SECRETARIAT,

Ordered that the accompanying Act to provide for the punishment of malpractices in connection with elections and to make further provisions for the conduct of inquiries in regard to disputed elections to the Chambers constituted under the Government of Mysore Act, 1940 which received the assent of His Highness the Maharaja, on the Twenty seventh day of January 1941

Date of issue.....

Signed by.....

be published as ~~Regulation~~ Act No. I of 1941, in the *Mysore Gazette* for general information.

Secretary to Government.
Law department
31-1-41

May this be—

(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

(vi) Published in the "Gazette" Kannada part?

To

The Compiler, *Mysore Gazette*, for publication in Part IV of the Gazette, in English and Kannada and for supply of .....spare copies in English, and .....spare copies in Kannada to this office, and.....spare copies in English and.....spare copies in Kannada to the Curator, Government Central Book Depot, Bangalore. Proofs should be sent to this office for approval.

Spare copies as per standing orders.

4 clean

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read:—

Order No. P. 406/Legis 36-40-1

Bangalore, dated the 4th February 1941.

Ordered that the accompanying Act to provide for the punishment of malpractices in connection with elections and to make further provisions for the conduct of inquiries in regard to disputed elections to the Chambers constituted under the Government of Mysore Act, 1940 which received the assent of His Highness the Maharaja, on the twenty seventh day of January 1941, be published as Act No. I of 1941, in the Mysore Gazette, for general information.

Hm 2/4/2/41

Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette, in English and Kannada and for supply of spare copies as per standing orders. Four clean proofs should be sent to this office for approval before publication.

THE MYSORE ELECTIONS OFFENCES AND INQUIRIES ACT, 1941

Price 0-1-3

NOTIFICATION.

No. P. 4016—*Legis.* 36-40-1, *dated Bangalore, the 4th February* 1941.

Ordered that the accompanying Act to provide for the punishment of malpractices in connection with elections and to make further provisions for the conduct of inquiries in regard to disputed elections to the Chambers constituted under the Government of Mysore Act, 1940, which received the assent of His Highness the Maharaja, on the twenty-seventh day of January 1941, be published as Act No. I of 1941, in the *Mysore Gazette* for general information.

By Order,

H. V. NARAYANA RAO,

Secretary to Government,
Law Department.

ACT No. I OF 1941.

The Mysore Elections Offences and Inquiries Act, 1941.

An Act to provide for the punishment of malpractices in connection with elections, and to make further provisions for the conduct of inquiries in regard to disputed elections to the Chambers constituted under the Government of Mysore Act, 1940.

Received the assent of His Highness the Maharaja on the 27th day of January 1941.)

WHEREAS it is expedient to provide for the punishment of malpractices in connection with elections, and to make further provision for the conduct of inquiries in regard to disputed elections to the Chambers constituted under the Government of Mysore Act, 1940; It is hereby enacted as follows:—

Preliminary.

Short title and extent.

1. (1) This Act may be called the Mysore Elections Offences and Inquiries Act, 1941.

(2) It extends to the whole of Mysore.

PART I.

OF OFFENCES RELATING TO ELECTIONS.

Amendments to the Indian Penal Code as applied to Mysore.

2. (1) In section 21 of the Indian Penal Code, as in force in Mysore, after the twelfth entry, the following shall be inserted, namely,—

"*Thirteenth.*—Every person who holds any office in virtue of which he is empowered to prepare, publish, maintain or revise an electoral roll or to conduct an election or part of an election;"

and after *Explanation* 2, the following shall be added, namely,—

"*Explanation* 3.—The word 'election' denotes an election for the purpose of selecting members of any legislative, municipal or other public authority, of whatever character, the method of selection to which he is by, or under, any law prescribed as by election."

(2) After Chapte IX of the same Code, the following Chapter shall be inserted, namely,—

"CHAPTER IX-A.

OF OFFENCES RELATING TO ELECTIONS.

171-A. For the purposes of this Chapter—

(*a*) " candidate " means a person who has stood or claims to have stood as a candidate at any election and includes a person who, when an election is in contemplation, holds himself out as a prospective candidate thereat : "Candidate" and "electoral right" defined.

Provided that he has subsequently stood as a candidate at such election;

(*b*) " electoral right " means the right of a person to stand, or not to stand as, or to withdraw from being, a candidate or to vote or refrain from voting at an election.

171-B. (1) Whoever—

(i) gives a gratification to any person with the object of inducing him or any other person to exercise any electoral right or of rewarding any person for having exercised any such right; or Bribery

(ii) accepts either for himself or for any other person any gratification as a reward for exercising any such right or for inducing or attempting to induce any other person to exercise any such right,

commits the offence of bribery :

Provided that a declaration of public policy or a promise of public action shall not be an offence under this section.

(2) A person who offers, or agrees to give, or offers or attempts to procure, a gratification shall be deemed to give a gratification.

(3) A person who obtains or agrees to accept or attempts to obtain a gratification, shall be deemed to accept a gratification, and a person who accepts a gratification as a motive for doing what he does not intend to do, or as a reward for doing what he has not done, shall be deemed to have accepted the gratification as a reward.

171-C. (1) Whoever voluntarily interferes or attempts to interfere with the free exercise of any electoral right commits the offence of undue influence at an election.

(2) Without prejudice to the generality of the provisions of sub-section (1), whoever—

(*a*) threatens any candidate or voter, or any person in whom a candidate or voter is interested, with injury of any kind, or

induces or attempts to induce a candidate or voter to believe that he or any person in whom he is interested will become or will be rendered an object of divine displeasure or of spiritual censure,

shall be deemed to interfere with the free exercise of the electoral right of such candidate or voter, within the meaning of sub-section (1).

(3) A declaration of public policy or a promise of public action, or the mere exercise of a legal right without intent to interfere with an electoral right, shall not be deemed to be interference within the meaning of this section.

Whoever at an election applies for a voting paper or votes in the name of any other person, whether living or dead, or in a fictitious name, or who, having voted once at such election applies at the same election for a voting paper in his own name, and whoever abets, procures or attempts to procure the voting by any person in any such way, commits the offence of personation at an election.

171-E. Whoever commits the offence of bribery shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

171-G. Whoever with intent to affect the result of an election makes or publishes any statement purporting to be a statement of fact which is false and which he either knows or believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate shall be punished with fine. False statement in connection with an election

171-H. Whoever without the general or special authority in writing of a candidate, incurs or authorises expenses on account of the holding of any public meeting, or upon any advertisement, circular or publication, or in any other way whatsoever for the purpose of promoting or procuring the election of such candidate, shall be punished with fine which may extend to five hundred rupees: Illegal payments in connection with an election.

Provided that if any person having incurred any such expenses not exceeding the amount of ten rupees without authority, obtains within ten days from the date on which such expenses were incurred the approval in writing of the candidate, he shall be deemed to have incurred such expenses with the authority of the candidate.

171-I. Whoever, being required by any law for the time being in force or any rule having the force of law to keep accounts of expenses incurred at or in connection with an election fails to keep such accounts, shall be punished with fine which may extend to five hundred rupees." Failure to keep election accounts.

3. (1) In section 196 of the Code of Criminal Procedure, 1904, after the words "Chapter VI", the words "or IX-A" shall be inserted. Amendment of the Code of Criminal Procedure.

(2) In Schedule II to the same Code after the entries relating to Chapter IX of the Indian Penal Code, as in force in Mysore, the following shall be added, namely:—

CHAPTER IX-A.—OFFENCES RELATING TO ELECTIONS.

171-E	Bribery ...	Shall not arrest without warrant	Summons	Bailable	Not compoundable.	Imprisonment of either description for one year, or fine, or both or if treating only, fine only.	District Magistrate or Magistrate of the First Class.
171-F	Undue influence and personation at an election.					Imprisonment of either description for one year, or fine or both.	
171-G	False statement in connection with an election.					Fine ...	
171-H	Illegal payments in connection with elections.					Fine of 500 rupees ...	
171-I	Failure to keep election accounts.					Do	

Election Inquiries and Other Matters.

Definitions.

4. In this Part, unless there is anything repugnant in the subject or context,—

(*a*) "costs" means all costs, charges and expenses of, or incidental to, an inquiry;

(*b*) "election" means an election to either the Representative Assembly or the Legislative Council constituted under the Government of Mysore Act, 1940;

(*c*) "inquiry" means an inquiry in respect of an election by a Commissioner appointed for that purpose by the Government;

(*d*) "pleader" means any person entitled to appear and plead for another in a Civil Court, and includes an advocate of the High Court.

Powers of Commissioner.

5. A Commissioner appointed to hold an inquiry shall have the powers which are vested in a Court under the Code of Civil Procedure, 1911, when trying a suit, in respect of the following matters:—

(*a*) discovery and inspection,

(*b*) enforcing the attendance of witnesses, and requiring the deposit of their expenses,

(*c*) compelling the production of documents,

(*d*) examining witnesses on oath,

(*e*) granting adjournments,

(*f*) reception of evidence taken on affidavit, and

(*g*) issuing commissions for the examination of witnesses,

and may summon and examine *suo moto* any person whose evidence appears to him to be material; and shall be deemed to be a Civil Court within the meaning of sections 480 and 482 of the Code of Criminal Procedure, 1904.

Explanation.—For the purposes of enforcing the attendance of witnesses, the local limits of the Commissioner's jurisdiction shall be the whole of Mysore.

Application of Act I of 1872 to inquiries.

6. The provisions of the Indian Evidence Act, 1872, as in force in Mysore, shall, subject to the provisions of this Act, be deemed to apply in all respects to an inquiry

7. Notwithstanding anything in any enactment to the contrary, no document shall be inadmissible in evidence on the ground that it is not duly stamped or registered. Documentary evidence.

8. (1) No witness shall be excused from answering any question as to any matter relevant to a matter in issue in an inquiry upon the ground that the answer to such question will criminate or may tend, directly or indirectly, to criminate him; or that it will expose or tend, directly or indirectly, to expose him to a penalty or forfeiture of any kind: Obligation of witness to answer.

Provided that—

(i) no person who has voted at an election shall be required to state for whom he has voted; and

(ii) a witness who, in the opinion of the Commissioner, has answered truly all questions which he has been required by the Commissioner to answer shall be entitled to receive a certificate of indemnity, and such certificate may be pleaded by such person in any court and shall be deemed to be a full and complete defence to or upon any charge under Chapter IX-A of the Indian Penal Code, as in force in Mysore, arising out of the matter to which such certificate relates, nor shall any such answer be admissible in evidence against him in any suit or other proceeding. Certificate of indemnity.

(2) Nothing in sub-section (1) shall be deemed to relieve a person receiving a certificate of indemnity from any disqualification in connection with an election imposed by any law or any rule having the force of law.

9. Any appearance, application or act before the Commissioner may be made or done by the party in person or by a pleader duly appointed to act on his behalf: Appearance by pleader.

Provided that any such appearance shall, if the Commissioner so directs, be made by the party in person.

10. The reasonable expenses incurred by any person in attending to give evidence may be allowed by the Commissioner to such person, and shall, unless the Commissioner otherwise directs, be deemed to be part of the costs. Expenses of witnesses.

11. (1) Costs shall be in the discretion of the Commissioner, and the Commissioner shall have full power to Costs and pleaders' fees, etc.

determine by and to whom and to what extent such costs are to be paid and to include in his report all necessary recommendations for the purposes aforesaid. The Commissioner may allow interest on costs at a rate not exceeding six per cent per annum and such interest shall be added to the costs.

(2) The fees payable by a party in respect of fees of his adversary's pleader shall be such fees as the Commissioner may allow.

12. Any order made by the Government on the report of the Commissioner regarding the costs of the inquiry may be produced before the principal Civil Court of original jurisdiction within the local limits of whose jurisdiction any person directed by such order to pay any sum of money has a place of residence or business, and such Court shall execute such order or cause it to be executed in the same manner and by the same procedure as if it were a decree for the payment of money made by itself in a suit.

13. Any person who has been convicted of an offence under section 171-E or 171-F of the Indian Penal Code, as in force in Mysore, or has been disqualified from exercising any electoral right, for a period of not less than four years on account of malpractices in connection with an election, shall be disqualified for four years from the date of such conviction or disqualification from—

(*a*) being appointed to, or acting in any judicial office;

(*b*) being elected to any office of any local authority when the appointment to such office is by election, or holding or exercising any such office to which no salary is attached;

(*c*) being elected or sitting or voting as a member of any local authority; or

(*d*) being appointed or acting as a trustee of a public trust.

Provided that the Government may exempt any such person from any such disqualification.

14. (1) Every officer, clerk, agent or other person who performs any duties in connection with the recording or counting of votes at an election shall maintain and aid in maintaining the secrecy of the voting and shall not

communicate to any person any information calculated to violate such secrecy.

(2) Any person, who wilfully acts in contravention of the provisions of this section, shall be punished with imprisonment of either description for a term not exceeding three months or with fine or with both.

15. This part of the Act shall have effect subject to any relevant provision of any rules, or orders made under the Government of Mysore Act, 1940.

Special provision as to elections under the Government of Mysore Act, 1940.

MIRZA M ISMAIL,
Dewan.

OVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated. Bangalore, 12/15 February 1941.

No. P 4207/Secr 4

From

The Secretary to the Government of His Highness the Maharaja of Mysore.
Law Department.

To

The Superintendent,
Government Printing,
Bangalore.

Sir,

With reference to your Memo No.327, dated 10th February 1941, I am directed to forward herewith the corrected proofs of Acts 1 to 5 of 1941. Copies may be struck off as per standing orders.

I have the honor to be,
Sir,
Your most obedient servant,

12/1

For Secretary to Government,
Law Department.

NOTIFICATION.

No. 5652—*C. B.* 147-39-6, *dated Bangalore, the* 24*th June* 1940.

In exercise of the powers conferred by the Government of Mysore Act, 1940, the Government of His Highness the Maharaja are pleased to make the following additional rules in continuation of the rules published with Notification No. 5031—C. B. 147-39-4, dated 6th May 1940.

By Order,

B. T. KESAVIENGAR,

Chief Secretary to Government.

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CHAPTER VIII.

CORRUPT PRACTICES AND ELECTION PETITIONS

PART I.—ELECTION AGENTS AND EXPENSES.

Appointment of election agent.

160. Every person standing as a candidate at an election to fill a seat or seats in the Assembly or the Council shall, at the time and in the manner prescribed by the provisions of these rules, appoint either himself or some one other person to be his election agent.

Disqualifications for being an agent in connection with an election.

161. No person who is for the time being disqualified under the provisions of the Act or of any of these rules from being a member of the Assembly or the Council or from voting at elections, shall, so long as the disqualification exists, be employed by or on behalf of a candidate as an agent in connection with any election held under the Act or rule made thereunder.

Revocation of appointment of an agent.

162. (1) Any revocation of the appointment of an election agent, whether he be the candidate himself or not, shall be signed by the candidate, and shall operate from the date on which it is lodged with the Returning Officer.

(2) In the event of such a revocation or of the death of an election agent, whether that event occurs before or during the election, or after the election but before a return of the candidate's election expenses has been lodged in accordance with the provisions of rule 165, the candidate shall appoint forthwith either himself or some other person to be his election agent, and shall give notice, in writing, of the appointment to the Returning Officer.

Agent's duty to maintain accounts.

163. Every election agent shall, for each election for which he is appointed election agent, keep separate and regular books of account, and shall enter therein such particulars of expenditure in connection with the election as are specified in these rules.

Accounts of agent.

164. The books of account to be kept by an election agent under the last preceding rule shall contain a statement of all payments made by the candidate or by his election agent or by any person on behalf of the candidate or in his interests for expenses incurred on account of, or in respect of, the conduct and management of the election,

and further, a statement of all unpaid claims in respect of such expenses of which he or his election agent is aware.

165. (1) Within thirty-five years from the date of the publication of the result of the election in the official Gazette, there shall be lodged with the Returning Officer in respect of each person who has stood as a candidate a return of the election expenses of that person signed both by him and his election agent.

(2) Every such return shall be in Form XIV and contain the particulars specified in the fourth schedule, and shall be accompanied by declarations in the forms contained in paragraph 3 of the said schedule by the candidate and his election agent made on oath before a magistrate.

(3) Every such return shall also bear court-fee stamps of the value of two rupees without which the Returning Officer shall not accept the return.

166. For the purpose of rule 162 a candidate, who is unable to write his name, shall be deemed to have signed a revocation of the appointment of an election agent, and for the purpose of rule 165 a candidate or an election agent, who is unable to write his name, shall be deemed to have signed a return of election expenses, if he has placed a mark on the document in the presence of the Returning Officer and if the Returning Officer, on being satisfied as to his identity, has attested the mark as being the mark of the candidate or the election agent.

167. When any return and the declarations made in respect thereof have all been lodged with the Returning Officer, the Returning Officer shall, as soon as may be, cause a notice of the date on which the return and declarations in question have been lodged, and of the ne and place at which they can be inspected, to be fixed some conspicuous place in his office and to be published the official Gazette, and any person shall, on payment a fee of one rupee, be entitled to inspect any such return declaration and, on payment of the same fees as are escribed for grant of copies of revenue records, to obtain tested copies thereof or of any part thereof.

(*c*) the date of each election;

(*d*) the name of each constituency in which an election has been held; and

(*e*) the date on which the return of election expenses of each candidate in each such election has been lodged with the Returning Officer.

(2) The particulars required for the maintenance of the record mentioned above shall be furnished by the Returning Officers concerned.

(3) The record shall be open to inspection by any person on payment of a fee of two rupees, and attested copies of entries made therein shall be furnished to any person on payment of a fee of two rupees per copy of the entries relating to each candidate.

(4) The record of each election shall be maintained for five years from the date of such election.

(5) Separate records shall be maintained for general elections and bye-elections.

Power to fix maximum scales of expenditure and to regulate employment for pay.

169. (1) The Government may, from time to time by notification in the official Gazette—

(*a*) fix maximum scales of expenditure (including the personal expenses of candidates) which shall apply to any election held under the Act or the rules thereunder;

(*b*) prescribe the numbers and descriptions of persons who may be employed for payment in connection with any election.

(2) Any notification issued under this rule may make different provisions for different constituencies.

PART II.—THE DECISION OF DOUBTS AND DISPUTES AS TO THE VALIDITY OF AN ELECTION AND DISQUALIFICATIONS FOR CORRUPT PRACTICES.

Definitions.

170. In this Part of this Chapter and in the fifth schedule, except where it is otherwise expressly provided or the context otherwise requires—

(*a*) "agent" includes an election agent and any person who, on the trial of an election petition, is held by the Commissioner to have acted as an agent in connection with the election with the knowledge or consent of the candidate;

(*b*) "candidate" means a person whoe has stood or claims to have stood as a candidate at any election, and a candidate who, with the election in prospect

has held himself out as a prospective candidate, shall b deemed to have been a candidate as from the time whe he began so to hold himself out;

(*c*) "electoral right" means the right of a perso to stand or not to stand as, or to withdraw from being, candidate, or to vote or refrain from voting at an election

(*d*) "returned candidate" means a candidate whos name has been published under these rules as duly elected

(*e*) "corrupt practice", means one of the practice specified in Parts I, II and III of the fifth schedule.

The election petition.

171. No election shall be called in question excep by an election petition presented in accordance with th provisions of this Part of this Chapter.

Presentation of the petition.

172. (1) An election petition against any returne candidate may be presented to the Government—

(*a*) by any candidate or elector on any ground;

(*b*) by an officer empowered in that behalf by th Government on the ground that the election has not bee a free election by reason of the large number of cases i which undue influence or bribery has been exercised c committed.

Explanation.—In this rule, the expression "elector' in relation to a trade and commerce, industry c co-operation constituency, includes all the persons include in the electoral roll as the nominees of any body, notwitl standing that only one of them is entitled to vote.

(2) A petitioner may, if he so desires, in additio to calling in question the election of the returned cand date, claim a declaration that he himself has been dul elected, but such a declaration shall only be claimed o one or other of the following grounds—

(*a*) that in fact the petitioner received a majorit of the valid votes; or

(*b*) that, but for votes obtained for the returne candidate by corrupt practices, the petitione would have obtained a majority of the vali votes.

Time limit for the presentation of the petition.

173. (1) An election petition against any returne candidate may be presented to the Government a provided in the last preceding rule—

(*a*) by any candidate or elector within fourtee days from the date of the publication of th notice in the official Gazette under rule 16

that the return of election expenses of the returned candidate and the declarations made in respect thereof have been lodged with the Returning Officer; or

(*b*) within thirty days from that date by an officer referred to in clause (*b*) of sub-rule (1) of rule 172.

(2) An election petition shall be deemed to have been presented to the Government when it is delivered to any officer appointed by it in this behalf—

(*a*) by the person making the petition; or

(*b*) by a person authorised in writing in this behalf by the person making the petition; or

(*c*) by registered post.

(3) When the last day of the period for the presentation of an election petition under this rule is a public holiday within the meaning of section 25 of the Negotiable Instruments Act, 1917, or has been notified by the Government as a day to be observed as a holiday in Government offices, the petition shall be considered as having been received in due time if it is presented on the next succeeding day which is neither such a public holiday nor a day so notified.

Contents of the petition.

174. (1) The petition shall contain a statement in concise form of the material facts on which the petitioner relies and shall, where necessary, be divided into paragraphs numbered consecutively. It shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1911, for the verification of pleadings.

(2) The petition shall be accompanied by a list signed and verified in like manner setting forth full particulars of any corrupt practice which the petitioner alleges, including as full a statement as possible as to the names of the parties alleged to have committed any corrupt practice and the date and place of the commission of each such practice.

Against whom petition may be presented.

175. When the petitioner in addition to calling in question the election of a returned candidate, claims a declaration that he himself has been duly elected, he shall join as respondents to his petition all other candidates who stood at the election.

176. At the time of presentation of the petition, the petitioner shall, except where the petition is presented under clause (*b*) of sub-rule (1) of rule 172, enclose with the petition a Government treasury receipt (challan) showing that a deposit of one hundred rupees has been made by him in the treasury as security for the costs of the petition.

177. If the provisions of rule 173, rule 174 or rule 176 are not complied with, the Government may dismiss the petition.

178. (1) Unless the Government dismisses a petition under the provisions of the last preceding rule, it shall appoint as Commissioner for the trial of the petition a person who is or has been, or is eligible to be appointed, a District Judge.

(2) All applications and proceedings in connection with the petition shall be dealt with by, and carried on by or before, the Commissioner.

(3) Where in respect of an election in a constituency more petitions than one are presented, the Government shall refer all those petitions to the same Commissioner, who may at his discretion inquire into the petitions either separately or in one or more groups, as he think fit.

(4) If during the course of the inquiry the Commissioner is unable to continue to attend thereat, the Government shall appoint another person as Commissioner and the inquiry shall re-commence before the Commissioner so appointed:

Provided that the Commissioner so appointed may direct that any evidence already recorded shall remain upon record, and in that case it shall not be necessary to re-examine those witnesses who have already been examined and discharged.

179. When at an inquiry into an election petition the Commissioner so orders, the Government Advocate, or some person appointed by the Government in that behalf, shall attend and shall take such part therein as the Commissioner may direct.

180. The Commissioner shall, as soon as may be after he is appointed, cause a copy of the petition to be served on each respondent and to be published in the official Gazette, and may call on the petitioner to execute a bond in such amount and with such sureties as he may require for the payment of any further costs. At any time within fourteen days after such publication, any other candidate

shall be entitled to be joined as a respondent on giving security in a like amount and procuring the execution of a like bond:

Provided that the execution of such a bond by the petitioner shall not be required in any case where the petition has been presented under clause (*b*) of sub-rule (1) of rule 172.

Inquiry by Commissioner.

181. (1) Subject to the provisions of these rules, every election petition shall be inquired into by the Commissioner, as nearly as may be, in accordance with the procedure applicable under the Code of Civil Procedure, 1911, to the trial of suits:

Provided that it shall only be necessary for the Commissioner to make a memorandum of the substance of the evidence of any witness examined by him.

(2) The Commissioner may, upon such terms as to costs and otherwise as he may direct at any time, allow the particulars included in the list mentioned in sub-rule (2) of rule 174 to be amended or order such further or better particulars in regard to any matter referred to therein to be furnished as may in his opinion be necessary for the purpose of ensuring a fair and effectual trial of the petition.

(3) Notwithstanding the provisions of rule 177, the Commissioner may inquire into the compliance of the petition with the provisions of rule 173, rule 174 or rule 176.

Place of inquiry.

182. The inquiry shall be held at such place as the Government may appoint:

Provided that the Commissioner may in his discretion sit at any other place in the State for any part of the inquiry.

Withdrawal of petition.

183. (1) An election petition may be withdrawn only by leave of the Commissioner or, if an application for withdrawal is made before any Commissioner has been appointed, of the Government.

(2) If there are more petitioners than one, no application to withdraw a petition shall be made, except with the consent of all the petitioners.

(*3*) When an application for withdrawal is made to the Commissioner, notice thereof fixing a date for the hearing of the application shall be given to all other parties to the petition and shall be published in the official Gazette.

(4) No application for withdrawal shall be granted if, in the opinion of the Government or of the Commissioner, as the case may be, such application has been induced by any bargain or consideration which ought not to be allowed.

(5) If the application is granted--

(a) the petitioner shall, where the application has been made to the Commissioner, be ordered to pay the costs of the respondent theretofore incurred or such portion thereof as the Commissioner may think fit;

(b) notice of the withdrawal shall be published in the official Gazette by the Government or by the Commissioner, as the case may be; and

(c) any person who might himself have been a petitioner may, within fourteen days of such publication, apply to be substituted as petitioner in place of the party withdrawing, and, upon compliance with the conditions of rule 176 as to security, shall be entitled to be so substituted and to continue the proceedings upon such terms as the Commissioner may think fit.

(6) When an application for withdrawal is granted by the Commissioner and no person has been substituted as petitioner in place of the party withdrawing under clause (c) of sub-rule (5), the Commissioner shall report the fact to the Government.

184. (1) An election petition shall abate only on the death of a sole petitioner or of the survivor of several petitioners:

Provided that, where such sole petitioner was an officer empowered under clause (b) of sub-rule (1) of rule 172, the proceedings may be continued by any other officer empowered in this behalf by the Government under the said clause.

(2) Notice of the abatement of an election petition shall be published in the official Gazette by the Commissioner or, if the petition abates before any Commissioner has been appointed, by the Government.

(3) Any person who might himself have been a petitioner may, within fourteen days of such publication,

apply to be substituted as petitioner, and, upon compliance with the conditions of rule 176 as to security, shall be entitled to be so substituted and to continue the proceedings upon such terms as the Commissioner may think fit.

Abatement or substitution on death of respondent.

185. If before the conclusion of the trial of an election petition, the respondent dies or gives notice that he does not intend to oppose the petition, the Commissioner shall cause notice of such event to be published in the official Gazette, and thereupon any person who might have been a petitioner may, within fourteen days of such publication, apply to be substituted for such respondent to oppose the petition, and shall be entitled to continue the proceedings upon such terms as the Commissioner may think fit.

Recrimination when seat claimed.

186. (1) Where at any inquiry into an election petition any candidate, other than the returned candidate, claims the seat for himself, the returned candidate or any other party may give evidence to prove that the election of such candidate would have been void if he had been the returned candidate and a petition had been presented complaining of his election:

Provided that the returned candidate or such other party as aforesaid shall not be entitled to give such evidence unless he has, within fourteen days from the date of the publication of the election petition under rule 180, given notice of his intention to the Commissioner and made the deposit and procured the execution of the bond referred to in rules 176 and 180, respectively.

(2) Every notice referred to in sub-rule (1) shall be accompanied by the statement and list of particulars required by rule 174 in the case of an election petition and shall be signed and verified in like manner.

Grounds for declaring election void.

187. (1) Subject to the provisions of this rule, if in the opinion of the Commissioner—

(*a*) the election of a returned candidate has been procured or induced, or the results of the election has been materially affected, by any corrupt practice; or

(*b*) any corrupt practice specified in Part I of the fifth schedule has been committed in the interests of a returned candidate; or

(*c*) the result of the election has been materially affected by the improper acceptance or rejection of any notice of candidature, or by reason

of the fact that any person who was a candidate was not qualified or was disqualified for election, or by the improper reception or refusal of a vote, or by the reception of any vote which is void, or by any non-compliance with the provisions of the Act or of the rules thereunder relating the election, or by any mistake in the use of any prescribed form; or

(*d*) the election has not been a free election by reason of the large number of cases in which bribery or undue influence has been exercised or committed,

the election of the returned candidate shall be void.

(2) If the Commissioner reports that a returned candidate has been guilty by an agent, other than his election agent, of any corrupt practice specified in Part I of the fifth schedule, but further reports that the candidate has satisfied him that–

(*a*) no corrupt practice was committed at the election by the candidate or his election agent, and the corrupt practices mentioned in the report were committed contrary to the orders, and without the sanction or connivance, of the candidate or his election agent;

(*b*) the candidate and his election agent took all reasonable means for preventing the commission of corrupt practices at the election;

(*c*) the corrupt practices mentioned in the report were of a trivial and limited character or took the form of customary hospitality which did not affect the result of the election; and

(*d*) in all other respects the election was free from any corrupt practice on the part of the candidate or any of his agents.

then the Commissioner may find that the election of the candidate is not void.

(3) If a person (not being entitled so to do) votes more than once at the same election, all his votes shall be deemed for the purpose of this rule to be void.

Report of Commissioner.

188. (1) At the conclusion of the inquiry, the Commissioner shall report whether the returned candidate, or any person who has lodged a petition and claimed a seat, has been duly elected, and in so reporting shall have regard to the provisions of the last preceding rule.

(2) The report shall further include a recommendation by the Commissioner as to the total amount of costs which are payable and the persons by and to whom costs shall be paid, and any such recommendation may include a recommendation for the payment of costs to the Government Advocate or a person appointed under Rule 179 for attending the trial in pursuance of the order of the Commissioner.

(3) The report shall be signed by the Commissioner who shall forthwith forward his report to the Government.

Finding as to corrupt practices and persons guilty thereof.

189. Where any charge is made in an election petition of any corrupt practice, the Commissioner shall record in his report—

(*a*) a finding whether a corrupt practice has or has not been proved to have been committed by any candidate or his agent, or with the connivance of any candidate or his agent, and the nature of that corrupt practice ; and

(*b*) the names of all persons, if any, who have been proved at the inquiry to have been guilty of any corrupt practice and the nature of that practice with any such recommendations as the Commissioner may think proper to make for the exemption of any persons from any disqualifications which they may have incur red in this connection under rules 192 to 195

Provided that no person shall be so named in the report unless he has been given a reasonable opportunity of showing cause why his name should not be so recorded.

Appeals from report of Commissioner.

190. (1) An appeal shall lie to the High Court from the report of the Commissioner on a point of law only, provided that such appeal is preferred within fifteen days from the date of such report exclusive of the time required for obtaining a copy of the report.

(2) The High Court upon the hearing of any such case shall decide the questions of law raised thereby, and shall deliver its judgment therein containing the grounds

on which such decision is founded and shall send to the Government a copy of such judgment under the seal o the Court and the signature of the Registrar.

(3) The High Court shall frame such rules as i may deem fit for regulating the procedure to be adopted for the filing and the hearing of such appeal.

191. (1) The Government shall, on the receipt o the judgment of the High Court, issue orders in accord ance with such judgment.

(2) In cases where an appeal to the High Cour does not lie or is not preferred, the Government shall issu orders in accordance with the report of the Commissioner

(3) The orders of the Government shall be publishe in the official Gazette and shall be final.

PART III—DISQUALIFICATIONS.

192. If any person is, after an inquiry under Part I of this Chapter, reported as guilty of any such corrup practice as is specified in Part I or Part II of the fift schedule he shall, for a period of six years from the dat of the conviction or report, be disqualified for voting at an election to, or for membership of, the Assembly or th Council.

193. If, in relation to any election to the Assembl or the Council, any person is, after such an inquiry a aforesaid, reported as guilty of any such corrupt practice a is specified in Part III of the fifth schedule he shall b disqualified for voting at any such election or for membe ship of the Assembly or the Council for a period of fou years from the date of the report.

194 Where under either of the two last precedin rules a person is, in connection with an election in a trad and commerce, industry, or co-operation constituenc disqualified for voting for any period, then if that perso was at the date of election either,

(*a*) included in the electoral roll for the constituenc as the nominee of an association, firm, Hindu joint family corporation or co-operative society entitled to nominat persons for inclusion therein; or

(*b*) a member of any such association, firm, Hind joint family or a director, managing agent or manager of any such corporation or society or a person authorised to sign in the name of any such firm, Hindu joint family,

corporation or society in the ordinary course of its business, the association, firm, family, corporation or society shall, for the like period, be disqualified from nominating persons for inclusion in the electoral roll for any trade and commerce, industry or co-operation constituency.

Failure to lodge return of election expenses.

195. If default is made in making the return of the election expenses of any person who has been a candidate at an election to the Assembly or the Council, or if such a return is found, either by the Commissioner holding an inquiry into the election or by any court in a judicial proceeding, to be false in any material particular, the candidate and his election agent shall be disqualified for voting at any election for a period of five years from the date by which a return was required to be lodged.

Disqualification for being an election agent.

196. Any person who is for the time being disqualified under the foregoing provisions of this Part of this Chapter for being a member of either chamber, or for voting at elections, shall, so long as the disqualification exists, also be disqualified for being an election agent at any election.

Power of Government to remove disqualification.

197. Any disqualification under rules 192 to 195 inclusive arising in connection with an election to either Chamber may be removed by the Government if such disqualification is in respect of voting.

PART IV.—CUSTODY AND PRESERVATION OF ELECTION PETITIONS, ETC.

Election petitions, etc., to be kept for fc years.

198. Election petitions with the proceedings and reports of the Commissioner thereon shall be kept by the Government and shall be destroyed after four years unless otherwise ordered by the Government.

CHAPTER IX.

GENERAL.

Vacation of seat by a person elected by more than one constituency.

199. (1) If any person is elected to the Assembly or the Council by more than one constituency he shall, by notice in writing signed by him and delivered to the Secretary to the Assembly or the Council, as the case may be, within seven days from the date of the publication in the official Gazette of the declarations containing

the names of that person as having been elected, or where such publication has been made on different dates within seven days from the later of such dates, as the case may be, choose for which of the constituencies he shall serve and his choice shall be conclusive.

(2) When any such choice has been made, the Government shall call upon the constituency or constituencies not chosen by such person to elect another person or persons.

(3) If the candidate does not make the choice referred to in sub-rule (1) of this rule, the elections of such person shall be void, and the Government shall call upon the constituencies concerned to elect other persons.

200. (1) Any person who is chosen a member of the Assembly and the Council and who has not taken his seat in either Chamber may, by notice in writing signed by him and delivered to the Secretaries of both the Chambers, within seven days from the date of the publication in the official Gazette of the declarations that he has been so chosen, or if such publications have been made on different dates within seven days from the later of such dates, intimate in which of the Chambers he wishes to serve, and any choice so intimated shall be conclusive. In default of such intimation, the seat of such person in the Assembly shall become vacant.

(2) If a person who is already a member of the Assembly and has taken his seat in such Assembly is chosen a member of the Council, his seat in the Assembly shall, on the publication in the official Gazette of the declaration that he has been so chosen, become vacant.

(3) If a person who is already a member of the Council and has taken his seat in such Council is chosen a member of the Assembly, his seat in the Council shall, on the publication in the official Gazette of the declaration that he has been so chosen, become vacant.

201. If any person having been elected or nominated to the Assembly or the Council fails to take the oath of allegiance to His Highness the Maharaja within such time as the Government considers reasonable, the Government shall, by notification in the official Gazette, declare his seat to be vacant and call upon the constituency concerned to elect another member within such time as may be specified in the notification or shall nominate another person, as the case may be.

CHAPTER X.

SPECIAL PROVISIONS.

Power of the Government to remove difficulties.

202. If any difficulty arises as to the preparation, revision or publication of any electoral roll or of any list of amendments to any such roll, or to the holding of any election under the provisions of these rules, the Government may, by order do anything not inconsistent with these rules or with any provision of the Act, which appears to it to be necessary for the proper preparation, revision, or publication of the roll or for the proper holding of the election.

Power of the Government to interpret the rules.

203. If any question arises as to the interpretation of these rules otherwise than in connection with an election enquiry held under the provisions of these rules, the question shall be referred for the decision of the Government, and its decision shall be final.

FOURTH SCHEDULE.

RETURN OF ELECTION EXPENSES.

Under the head of receipts there shall be shown the name and description of every person (including the candidate), club, society or association from whom any money, security or equivalent of money was received in respect of expenses incurred on account of, or in connection with, or incidental to, the election, and the amount received from each person, club, society or association separately.

2. Under the head of expenditure there shall be shown—

(*a*) the personal expenditure of the candidate incurred or paid by him or his election agent, including travelling and all other personal expenses incurred in connection with his candidature;

(*b*) the name, and the rate and total amount of the pay, of each person employed as an agent (including the election agent), clerk or messenger;

(*c*) the travelling expenses and any other expenses incurred by the candidate or his election agent on account of agents (including the election agent), clerk or messenger;

(*d*) the travelling expenses of persons, whether in receipt of salary or not, incurred, in connection with the candidature, and whether paid or incurred by the candidate, his election agent or the persons so travelling;

(*e*) the cost whether paid or incurred of :—

(i) printing,
(ii) advertising,
(iii) stationery,
(iv) postage,

NOTE.—(1) All expenses incurred in connection with the candidature whether paid by the candidate, his election agent or any other person or remaining unpaid on the date of the return are to be set out.

(2) For all items of five rupees and over, unless from the nature of the case (*e.g.*, travel by rail or postage) a receipt is not obtainable, vouchers are to be attached.

(3) All sums paid, but for which no receipt is attached, are to be set out in detail with dates of payment.

(4) All sums unpaid are to be set out in a separate list

(v) telegrams, and
(vi) rooms hired either for public meetings or as committee rooms;

(*f*) any other miscellaneous expenses whether paid or incurred.

3. The form of the declarations referred to in Rule 165 shall be as follows:—

Form of Declaration by Election Agent.

I, ...being the appointed election agent for....., a candidate for election in the.....constituency, do hereby solemnly affirm that the above return of election expenses is true to the best of my knowledge and belief, and that, except the expenses herein set forth, no expenses of any nature whatsoever have to my knowledge or belief been incurred in, or for the purposes of, ...'s candidature.

.....
Election Agent.

Solemnly affirmed before me.

.....
Magistrate.

Form of Declaration by Candidate.

I, ...being a candidate for election in the.....constituency do hereby solemnly affirm that the above return of election expenses is true to the best of my knowledge and belief, and that, except the expenses herein set forth, no expenses of any nature whatsoever have to my knowledge or belief been incurred in, or for the purposes of, my candidature.

Candidate.

Solemnly affirmed before me.

Magistrate.

FIFTH SCHEDULE

(Rule 170.)

CORRUPT PRACTICES.

PART I.

1. Bribery, that is to say, any gift, offer or promise by a candidate or his agent, or by any other person with the connivance of a candidate or his agent of any gratification to any person whomsoever, with the object directly or indirectly, of inducing—

(*a*) a person to stand or not to stand as, or to withdraw from being, a candidate at an election; or

(*b*) an elector to vote or refrain from voting at an election,

or as a reward

(i) a person for having so stood or not stood, or for having withdrawn his candidature; or

(ii) an elector for having voted or refrained from voting.

For the purposes of this paragraph the term "gratification" is not restricted to pecuniary gratifications or gratifications estimable in money, and it includes all forms of entertainment and all forms of employment for reward but it does not include the payment of any expenses *bona fide* incurred at, or for the purpose of, any election and duly entered in the return of election expenses prescribed by these rules.

2. Undue influence, that is to say, any direct or indirect interference or attempt to interfere on the part of a candidate or his agent, or of any other person with the connivance of the candidate or his agent, with the free exercise of any electoral right:

Provided that

(*a*) without prejudice to the generality of the provisions of this paragraph, any such person as is referred to therein who—

(i) threatens any candidate or elector, or any person in whom a candidate or elector is interested, with any injury of any kind: or

induces or attempts to induce a candidate or elector to believe that he, or any person in whom he is interested, will become or will be rendered an object of divine displeasure or spiritual censure,

shall be deemed to interfere with the free exercise of the electoral right of that candidate or elector within the meaning of this paragraph; and

(*b*) a declaration of public policy, or a promise of public action, or the mere exercise of a legal right without intent to interfere with an electoral right, shall not be deemed to be interference within the meaning of this paragraph.

Personation.

The procuring or abetting or attempting to procure by a candidate or his agent, or by any other person with the connivance of a candidate or his agent, the application by a person for a voting paper in the name of any other person, whether living or dead, or in a fictitious name, or by a person for a voting paper in his own name when, by reason of the fact that he has already voted in the same or some other constituency, he is not entitled to vote.

Removal of voting paper.

The removal of a voting paper from the polling station during polling hours by any person with the connivance of a candidate or his agent.

Publication of false statements.

The publication by a candidate or his agent, or by any other person with the connivance of a candidate or his agent, of any statement of fact which is false, and which he either believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate, or in relation to the candidature or withdrawal of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election.

6. The incurring or authorizing by a candidate or his agent of expenditure, or the employment of any person by a candidate or his agent, in contravention of the provisions of any notification issued by the Government under rule 169.

PART II.

1. Any act specified in Part I of this schedule when done by a person who is not a candidate or his agen

or a person acting with the connivance of a candidate o his agent.

2. The application by a person at an election for voting paper in the name of any other person, whethe living or dead, or in fictitious name, or for a voting pape in his own name when, by reason of the fact that he ha already voted in the same or some other constituency, h is not entitled to vote.

3. The receipt of, or agreement to receive, any grat fication whether as a motive or reward

(*a*) by a person for standing or not standing as, o for withdrawing from being, a candidate; or

(*b*) by any person whomsoever for himself or an other person for voting or refraining from voting, or fo inducing or attempting to induce any elector to vote o refrain from voting, or any candidate to withdraw h candidature.

For the purposes of this paragraph the ter "gratification" has the same meaning as it has for th purposes of paragraph 1 of Part I of this schedule.

4. Any payment or promise of payment to any pe son whomsoever on account of the conveyance of an elector to or from any place for the purpose of recordin his vote.

5. The hiring, employment, borrowing or using fo the purposes of the election of any boat, vehicle or anima usually kept for letting on hire or for the conveyance o passengers by hire:

Provided that any elector may hire any boat, vehicle or animal, or use any boat, vehicle or animal which is hi own property to convey himself to or from the place wher the vote is recorded.

6. The making of any return of election expense which is false in any material particular, or the making o a declaration verifying any such return.

circular or publication, or in any other way whatsoever, for the purpose of promoting or procuring the election of the candidate, unless he is authorized, in writing, so to do by the candidate.

Hiring of liquor shops.

2. The hiring, using or letting as a committee room or for the purpose of any meeting to which electors are admitted, of any building, room or other place where intoxicating liquor is sold to the public.

Issue of circulars, etc., without printer's and publisher's name printed thereon.

3. The issuing of any circular, placard or poster having a reference to the election which does not bear on its face the name and address of the printer and publisher thereof.

Name of Constituency.

1. *Receipts.*—Including all monies, securities and equivalents of money received from any person (including the candidate himself), club, society, or association in respect of any expenses, whether paid or remaining unpaid, incurred on account of, or in connection with, or incidental to the election. The name of each such person, etc., and the amount received shall be shown separately :—

2. *Expenses.*—Including all payments made by the candidate or by his election agent or by any person on behalf of, or in the interests of, the candidate in respect of any expenses incurred on account of or in connection with or incidental to the election, and all unpaid claims in respect of any such expenses of which the candidate or his election agent is aware :—

N. B.—(1) Vouchers shall be attached to the return for all items of expenditure amounting to Rs. 5 and over, unless from the nature of the case a receipt cannot be obtained ; the vouchers shall be numbered and arranged in serial order and the number of the vouchers entered in the return against the item of expenditure.

(2) Each payment made shall be entered separately, except payments on account of postage and telegrams for which lumpsums may be shown. The name and description of each person paid and the work done or the nature of the goods supplied shall be shown in respect of each payment.

PART A.—*In this Part shall be shown the personal expenditure of the candidate, incurred or paid by him or by his election agent on his behalf, including all payments for personal services rendered, for hotel bills, for travelling expenses and for the purchase of books or election literature.*

Name and description of payee	On what account	Date of payment	Voucher No.	Amount paid	Amount unpaid

PART B.—*In this Part shall be shown expenditure incurred by the candidate or his election agent for the remuneration of agents (including the election agent), clerks or messengers. The name and description of each agent, clerk or messenger employed and the rate of remuneration and the amount paid to each shall be shown separately.*

PART C.—*In this Part shall be shown all other expenditure (including travelling expenses and cost of refreshments provided) incurred by the candidate or his election agent on account of agents (including the election agent), clerks or messengers. The name and description of each agent, clerk or messenger and the amount paid to each shall be shown.*

Name and description of payee	On what account	Date of payment	Voucher No.	Amount paid	Amount remaining unpaid

PART D.—*In this Part shall be shown the travelling expenses of persons (not being agents, clerks or messengers) whether in receipt of salary or not, incurred or paid by the candidate, his election agent or the person so travelling.*

Name and description of payee	On what account	Date of payment	Voucher No.	Amount paid	Amount remaining

PART E.—*In this Part the cost of printing shall be shown.*

Name and description of payee	On what account	Date of payment, if ...	Voucher No.	Amount paid	Amount unpaid

PART F.—*In this Part the cost of advertising shall be shown.*

Name and description of payee	On what account	Date of payment,	Voucher No.	Amount paid	Amount unpaid

PART G.—*In this Part the cost of stationery shall be shown.*

Name and description of payee	On what account	Date of payment, if any	Voucher No.	Amount paid	Amount unpaid

PART H.—*In this Part the cost of postage and telegrams may be shown in lumpsums.*

Expenditure incurred	Date of payment, if separate payments are shown	Amount paid

PART I.—*In this Part the cost of rooms hired for public meetings or as committee rooms or as an office shall be shown.*

Name and description of payee	Locality and description	Date of payment	Voucher No.	Amount paid	Amount unpaid

PART J.—*In this Part shall be included every disputed claim remaining unpaid.*

Name and description of claimant	Nature and alleged ground	Amount of

1919ನೆಯ ಇಸವಿಯ ಇಂಡಿಯಾ ಸರ್ಕಾರದ (ತಿದ್ದುಪಡಿ) ಮಸೂದಾ ಕಾನೂನಿನ ವಿಷಯದಲ್ಲಿ ಒಂದು ವರದಿಯನ್ನು ಒಪ್ಪಿಸಲು ನೇಮಕಮಾಡಲ್ಪಟ್ಟ "ಜಾಯಿಂಟ್ ಪಾರ್ಲಿಮೆಂಟರಿ ಕಮಿಟಿ", ಎಂಬ ಸಮಿತಿಯವರು, ಅಂಥ ಒಂದು ಕಾನೂನನ್ನು ವಿಧಾಯಕ ಮಾಡಬಹುದೆಂದು ಸಲಹೆ ಮಾಡಿದರು. "ಶಾಸನ ಸಭೆಗಳಿಗೆ ಮೊಟ್ಟಮೊದಲನೆಯ ಚುನಾವಣೆಯನ್ನು ನಡೆಯಿಸುವುದಕ್ಕೆ ಮುಂಚೆ, ಅಕ್ರಮವರ್ತನೆಗಳ ಸಂಬಂಧದಲ್ಲಿ ಅಪರಾಧಗಳಿಗೆ ತಕ್ಕ ಶಿಕ್ಷೆಗಳನ್ನು ವಿಧಾಯಕಮಾಡಿ ಸಮಗ್ರವಾದ ಮತ್ತು ಕಟ್ಟುನಿಟ್ಟಾದ ಒಂದು ಆಕ್ಟನ್ನು ಜಾರಿಗೆ ತರಬೇಕೆಂದು ಸಮಿತಿಯವರು ದೃಢವಾಗಿ ಅಭಿಪ್ರಾಯಪಟ್ಟಿರುತ್ತಾರೆ. ಈಗ ಇಂಡಿಯಾ ದೇಶದಲ್ಲಿ ಅಂಥ ಒಂದು ಆಕ್ಟೂ ಏರ್ಪಟ್ಟಿಲ್ಲ. ಅಂಥ ಒಂದು ಆಕ್ಟಿನ ಆವಶ್ಯಕತೆಯು ಇತರ ದೇಶಗಳಲ್ಲಿರುವುದಕ್ಕಿಂತಲೂ ಇಂಡಿಯಾ ದೇಶದಲ್ಲೇನೂ ಕಡಮೆಯಾಗಿಲ್ಲವೆಂದು ಸಮಿತಿಯವರು ಮನಗಂಡಿದ್ದಾರೆ" ಎಂದು ಸಮಿತಿಯವರು ತಿಳಿಸಿದರು. ಅದಕ್ಕನುಸಾರವಾಗಿ, ಇಂಡಿಯಾದೇಶದಲ್ಲಿ ನಡೆಯುವ ಚುನಾವಣೆಯ ತಕ್ಸೀರುಗಳಿಗೂ ಮತ್ತು ಅವುಗಳ ವಿಚಾರಣೆಗಳಿಗೂ ಸಂಬಂಧಪಟ್ಟ ಆಕ್ಟು 1920ನೆಯ ಇಸವಿಯ ಸೆಪ್ಟೆಂಬರ್ ತಿಂಗಳಿನಲ್ಲಿ ಕಾನೂನಾಗಿ ಬ್ರಿಟಿಷ್ ಇಂಡಿಯಾದಲ್ಲಿ ಜಾರಿಗೆ ಬಂದಿದೆ.

ಬ್ರಿಟಿಷ್ ಇಂಡಿಯಾ ಪ್ರಾಂತಗಳಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಆ ಕಾನೂನಿನ ಮಾದರಿಯನ್ನನುಸರಿಸಿ ಈಗ ಸರ್ಕಾರದವರು ಒಂದು ಮಸೂದಾ ಕಾನೂನನ್ನು ರಚಿಸಿದ್ದಾರೆ. ಅದರಲ್ಲಿ ಎರಡು ಭಾಗಗಳಿವೆ. ಮೊದಲನೆಯ ಭಾಗದಲ್ಲಿ ಈಗ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ರೀತ್ಯಾ ಇಂಡಿಯನ್ ಪೀನಲ್ ಕೋಡಿಗೂ ಮತ್ತು ಕ್ರಿಮಿನಲ್ ಪ್ರೊಸೀಜರ್ ಕೋಡಿಗೂ ಕೆಲವು ತಿದ್ದುಪಡಿಗಳನ್ನು ರಚಿಸಲಾಗಿದೆ. ಈ ಭಾಗವು 1940ನೆಯ ಇಸವಿಯ ಮೈಸೂರು ಸರ್ಕಾರದ ಆಕ್ಟಿನ ಮೇರೆಗೆ ಏರ್ಪಾಡಾದ ನ್ಯಾಯವಿಧಾಯಕಸಭೆ ಮತ್ತು ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಗಳ ಸದಸ್ಯರ ಚುನಾವಣೆಗಳಿಗೂ ಅನ್ವಯಿಸುತ್ತದೆ: ಅಲ್ಲದೆ ಸರ್ವೇ ಸಾಮಾನ್ಯವಾಗಿ ಎಲ್ಲ ಬಗೆಯ ಸಾರ್ವಜನಿಕ ಸಂಸ್ಥೆಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಚುನಾವಣೆಗಳಿಗೂ ಸಹ ಅನ್ವಯಿಸುತ್ತದೆ. ಈ ಭಾಗದಲ್ಲಿ ಈ ಮಸೂದಾ ಕಾನೂನಿನ ಮೇರೆಗೆ ಸೂಚಿತವಾಗಿರುವ ಐದು ಹೊಸ ಅಪರಾಧಗಳನ್ನು ಎಂದರೆ ಲಂಚ, ಅನುಚಿತವಾದ ಪ್ರೇರೇಪಣೆ, ಮತೊಬ್ಬ ಮನುಷ್ಯನೇ ತಾನೆಂದು ಹೇಳಿಕೊಂಡುವರ್ತಿಸುವುದು, ಸುಳ್ಳು ಸಂಗತಿಗಳನ್ನು ಪ್ರಸಿದ್ಧಪಡಿಸುವುದು ಮತ್ತು ಸರಿಯಾದ ಲೆಕ್ಕಗಳನ್ನು ಇಡದಿರುವುದು, ಈ ಐದು ಹೊಸ ಅಪರಾಧಗಳಿಗೆ ಶಿಕ್ಷೆಯು ವಿಧಾಯಕವಾಗಿದೆ.

ಎರಡನೆಯ ಭಾಗವು ಹೊಸ ಆಕ್ಟಿನ ಮೇರೆಗೆ ಏರ್ಪಟ್ಟ ನ್ಯಾಯವಿಧಾಯಕ ಸಭೆಗೂ ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಗೂ ಸಂಬಂಧಪಟ್ಟ ಚುನಾವಣೆಗಳಿಗೆ ಮಾತ್ರವೇ ಅನ್ವಯಿಸುತ್ತದೆ. ಅಲ್ಲದೆ, ಇದರಲ್ಲಿ ಆ ಸಂಸ್ಥೆಗಳಿಗೆ ನಡೆದ ಸದಸ್ಯರ ಚುನಾವಣೆಗಳ ಸಂಬಂಧದಲ್ಲಿ ಹುಟ್ಟುವ ವಿವಾದಗಳ ವಿಚಾರಣೆಗಳಿಗೂ ನಿಯಮಗಳು ಏರ್ಪಟ್ಟಿವೆ. ಈ ವಿಚಾರಣೆಗಳನ್ನು ನಡೆಯಿಸುವುದಕ್ಕಾಗಿ ನೇಮಕವಾದ ಕಮಿಷನರವರಿಗೆ, 1911ನೆಯ ಇಸವಿಯ ಸಿವಿಲ್ ಪ್ರೊಸೀಜರ್ ಕೋಡಿನ ಮೇರೆಗೆ ಒಂದು ದಾವಾ ಮೊಕದ್ದಮೆಯ ವಿಚಾರಣೆಯನ್ನು ನಡೆಯಿಸುವುದರಲ್ಲಿ ಒಂದು ಕೋರ್ಟಿಗೆ ಯಾವ ಅಧಿಕಾರಗಳನ್ನು ಕೊಡಲಾಗಿದೆಯೋ ಅವೇ ಅಧಿಕಾರಗಳನ್ನು ವಹಿಸಲಾಗಿದೆ. ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ರೀತ್ಯಾ 1872ನೆಯ ಇಸವಿಯ ಇಂಡಿಯನ್ ಎವಿಡೆನ್ಸ್ ಆಕ್ಟಿನ ನಿಯಮಗಳು ಇಂಥ ವಿಚಾರಣೆಗಳಿಗೆ ಅನ್ವಯಿಸುತ್ತವೆ. ಈ ಎರಡನೆಯ ಭಾಗದಲ್ಲಿ ಇತರ ಕೆಲವು ಪ್ರಾಸಂಗಿಕವಾದ ನಿಯಮಗಳನ್ನೂ ಏರ್ಪಡಿಸಲಾಗಿದೆ. ಅಲ್ಲದೆ, ಅವುಗಳ ಜೊತೆಗೆ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ರೀತ್ಯಾ ಇಂಡಿಯನ್ ಪೀನಲ್‌ಕೋಡಿನ IX-A ಅಧ್ಯಾಯದ ಮೇರೆಗೆ ಶಿಕ್ಷೆಗೆ ಗುರಿಯಾದ ಒಬ್ಬ ಮನುಷ್ಯನು ಕೆಲವು ನೇಮಕಗಳನ್ನೂ ಹುದ್ದೆಗಳನ್ನೂ ಪಡೆಯದಂತೆ ಅನರ್ಹತೆಯನ್ನು ಹೊಂದತಕ್ಕುದೆಂದೂ ಈ ಭಾಗದಲ್ಲಿ ವಿಧಾಯಕವಾಗಿದೆ. ಆದಾಗ್ಯೂ ಯಾವುದಾದರೂ ಒಂದು ಪ್ರತ್ಯೇಕ ಸಂದರ್ಭದಲ್ಲಿ ಅಂಥ ಅನರ್ಹತೆಯನ್ನು ಪರಿಹಾರ ಮಾಡತಕ್ಕ ಅಧಿಕಾರವನ್ನು ಸರ್ಕಾರದವರಿಗೆ ವಹಿಸಲಾಗಿದೆ. ಅಲ್ಲದೆ, ವೋಟು ಕೊಟ್ಟುದರ ಸಂಬಂಧದಲ್ಲಿ ರಹಸ್ಯರಕ್ಷಣೆಗೆ ಅವಶ್ಯವಾದ ನಿಯಮಗಳೂ ಸಹ ಇದರಲ್ಲಿ ಏರ್ಪಟ್ಟಿವೆ.

ಈ ಪರಿಮಿತಿಯನ್ನು ತೆಗೆದುಹಾಕಿ, ಬ್ರಿಟಿಷ್ ಇಂಡಿಯಾದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಕಾನೂನಿನ ನಿಯಮಗಳಿಗನು ಗುಣವಾದ ರೀತಿಯಲ್ಲೇ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿನ ಕಾನೂನಿನ ನಿಯಮಗಳೂ ಇರುವಂತೆ ಮಾಡುವುದು ಸೂಕ್ತವೆಂದು ಭಾವಿಸಲಾಗಿದೆ. ಆದಕಾರಣ ಈಗ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಆಕ್ಟನ್ನು ತಿದ್ದುಪಾಟು ಮಾಡುವುದಕ್ಕಾಗಿ ಈ ಮಸೂದಾ ಕಾನೂನು ರಚಿತವಾಗಿದೆ. ಈ ತಿದ್ದುಪಾಟಿನ ಪರಿಣಾಮವೇನೆಂದರೆ:—ಒಬ್ಬ ನ್ಯಾಯಾಧೀಶರಿಗೆ (ಜಡ್ಜಿಯವರಿಗೆ) ಅಥವಾ ಒಂದು ಕೋರ್ಟಿಗೆ ಅವಮಾನ ಮಾಡಬೇಕೆಂಬ ಅಥವಾ ನ್ಯಾಯಾಧೀಶರ ಅಥವಾ ಕೋರ್ಟಿನ ಅಧಿಕಾರ ಗೌರವಕ್ಕೆ ಕುಂದನ್ನುಂಟುಮಾಡುವ ಉದ್ದೇಶದಿಂದ ಮಾಡಲ್ಪಟ್ಟ ಯಾವ ಕೃತ್ಯದ ವಿಷಯದಲ್ಲಾಗಲಿ ಅದನ್ನು ಕೋರ್ಟಿಗೆ ಅವಮಾನಮಾಡಿದುದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ತಕ್ಷೀರೆಂದು ಭಾವಿಸಿ ವ್ಯವಹರಿಸಲು ಕಾನೂನಿನಲ್ಲಿ ಅವಕಾಶವೇರ್ಪಟ್ಟಂತಾಗುವುದು.

ಎಚ್ ವಿ ನಾರಾಯಣರಾವ್,

ಮೈಸೂರು ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಯ ಸೆಕ್ರಟರಿ.

ಮೈಸೂರು ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆ.

ದಸರಾ ಅಧಿವೇಶನ—ಅಕ್ಟೋಬರ್ 1940.

ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಯವರ ಪರ್ಯಾಲೋಚನೆಗಾಗಿ ಒಪ್ಪಿಸತಕ್ಕ ಸರ್ಕಾರಿ ಕಾರ್ಯಕಲಾಪಗಳ ವಿವರ.

1. 1933ನೆಯ ಇಸವಿಯ ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಸಿಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಆಕ್ಟನ್ನು ತಿದ್ದುಪಾಟು ಮಾಡುವುದಕ್ಕಾಗಿ ರಚಿತವಾದ ಮಸೂದಾ ಕಾನೂನಿನ ಸಾಮಾನ್ಯ ನಿಯಮಗಳ ವಿವರಣೆ.

ಸಿಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳಲ್ಲಿ ತರಾವಾಗಿರತಕ್ಕ ತೆರಿಗೆಗಳನ್ನು ವಸೂಲ್ಮಾಡುವುದಕ್ಕಾಗಿ ಈಗ ಆಚರಣೆಯಲ್ಲಿರುವ ನಡೆವಳಿಕೆಯ ಕ್ರಮವು 1933ನೆಯ ಇಸವಿಯ ಸಿಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಆಕ್ಟಿನ VIIIನೆಯ ಅಧ್ಯಾಯದಲ್ಲಿ ವಿಧಾಯಕವಾಗಿದೆ. ಈ ತೆರಿಗೆಗಳನ್ನು ಸಿಟಿ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳವರು ಶೀಘ್ರವಾಗಿಯೂ ಮತ್ತು ಪೂರ್ತಿಯಾಗಿಯೂ ವಸೂಲ್ಮಾಡುವುದಕ್ಕೆ ಈಗಿರತಕ್ಕ ಕಾನೂನಿನ ನಿಯಮಗಳ ಮೇರೆಗೆ ಅವರಿಗೆ ಸಾಕಾದಷ್ಟು ಅವಕಾಶವು ಕಲ್ಪಿತವಾಗಿಲ್ಲವೆಂಬ ಅಂಶವು ಸರ್ಕಾರದವರ ಗಮನಕ್ಕೆ ತರಲ್ಪಟ್ಟಿದೆ. ವಿಧಿಸಲ್ಪಟ್ಟ ತೆರಿಗೆಗಳನ್ನು ಕೊಡದೆ ತಪ್ಪಿದವರಿಂದ, ಅವರ ಮೇಲೆ ಪ್ರಾಸಿಕ್ಯೂಷ್ಯ ವ್ಯವಹರಣೆಯನ್ನು ನಡೆಯಿಸುವುದರ ಮೂಲಕ ಅವುಗಳನ್ನು ವಸೂಲ್ಮಾಡುವುದಕ್ಕೆ ಸಿಟಿ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳವರಿಗೆ ಅಧಿಕಾರವಿರುವಂತೆ ಆಕ್ಟಿನಲ್ಲಿ ಅವಕಾಶಕಲ್ಪಿಸುವ ಒಂದು ನಿಯಮವನ್ನು ಸೇರಿಸುವುದು ಆವಶ್ಯಕವೆಂದು ಬೆಂಗಳೂರು ಸಿಟಿ ಮುನಿಸಿಪಲ್ ಕಮಿಷನರವರೂ ಮತ್ತು ಮೈಸೂರು ಸಿಟಿ ಮುನಿಸಿಪಲ್ ಸಭೆಯ ಪ್ರೆಸಿಡೆಂಟರವರೂ ತಿಳಿಸಿದ್ದಾರೆ.

ಬೆಂಗಳೂರು ದಂಡಿನ ಪ್ರದೇಶದಲ್ಲಿ ಆಚರಣೆಯಲ್ಲಿರುವ ಮುನಿಸಿಪಲ್ ನಿಬಂಧನೆಗಳಲ್ಲಿ ಈ ಬಗೆಯ ನಿಯಮವು ಏರ್ಪಟ್ಟಿದೆ.

ಆದಕಾರಣ, 1933ನೆಯ ಇಸವಿಯ ಮೈಸೂರು ಸಿಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಆಕ್ಟನ್ನು ತಿದ್ದುಪಾಟು ಮಾಡಿ ಅದಕ್ಕೆ ಒಂದು ಪ್ರಕರಣವನ್ನು ಹೊಸದಾಗಿ ಸೇರಿಸಬೇಕೆಂದು ಉದ್ದೇಶಿಸಲಾಗಿದೆ. ಆ ಪ್ರಕರಣವು ಯಾವುದೆಂದರೆ :—

"102–A. ಈ ಆಕ್ಟಿನ 64ನೆಯ ಪ್ರಕರಣದ ಮೇರೆಗೆ ವಿಧಾಯಕವಾದ ಯಾವುದಾದರೂ ತೆರಿಗೆಯನ್ನು ಕೊಡಬೇಕೆಂದು 95ನೆಯ ಪ್ರಕರಣದ (3) ನೆಯ ಒಳಪ್ರಕರಣದ ಮೇರೆಗೆ ಒಂದು ತಗಾದೆ ನೋಟೀಸು ಜಾರಿಯಾದ ತಾರೀಖಿನಿಂದ ಹದಿನೈದು ದಿನಗಳೊಳಗಾಗಿ ಅದು ಸಲ್ಲಿಸಲ್ಪಡದೆ ಹೋದಲ್ಲಿ, ಆ ತೆರಿಗೆಯ ಹಣವನ್ನು ಕೊಡದೆ ತಪ್ಪಿದಾತನು, ಮ್ಯಾಜಿಸ್ಟ್ರೇಟರವರಿಂದ ತಪ್ಪುಸಾಬೀತಾದಲ್ಲಿ, ಆತನಿಂದ ಪಾವತಿಯಾಗಬೇಕಾಗಿರತಕ್ಕ ತೆರಿಗೆಯ ಮೊತ್ತದ ಎರಡರಷ್ಟಕ್ಕೆ ಮೀರದಂತಿರುವಷ್ಟು ಮೊಬಲಗಿನ ಜುಲ್ಮಾನೆಯನ್ನು ಕೊಡಲು ಬದ್ಧನಾಗಿರತಕ್ಕದ್ದು."

2. ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಮಸೂದಾ ಕಾನೂನಿನ ಸಾಮಾನ್ಯ ನಿಯಮಗಳ ವಿವರಣೆ.

ಪ್ರೈಮರಿ ವಿದ್ಯಾಭ್ಯಾಸವು ಹರಡಬೇಕಾದುದು ಅಗತ್ಯ. ಸಮಾಜದಲ್ಲಿ ಕಾರ್ಯದಕ್ಷತೆಯು ಹೆಚ್ಚುವುದಕ್ಕೂ, ಸಂಪದಭಿವೃದ್ಧಿಯಾಗುವುದಕ್ಕೂ ಅದರಿಂದ ಸಾಧಕ. ಜನಗಳು ತಿಳಿವಳಿಕೆಯನ್ನು ಹೆಚ್ಚು ಮಾಡಿಕೊಂಡು ಜೀವನ ವಿಧಾನದಲ್ಲಿ ಮೇಲ್ಮೆಯನ್ನು ಪಡೆಯುವುದಕ್ಕೂ ಅದರಿಂದ ಸಾಧಕ. ಆದಕಾರಣ, ಪ್ರೈಮರಿ ವಿದ್ಯಾಭ್ಯಾಸವನ್ನು ಹೆಚ್ಚಾಗಿ ಪ್ರಚಾರಗೊಳಿಸುವುದು ಆವಶ್ಯಕವೆಂಬ ಅಂಶವು ಬಹಳ ಕಾಲದಿಂದಲೂ ಅಂಗೀಕೃತವಾಗಿದೆ. ಸಂಸ್ಥಾನದಲ್ಲಿ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಪ್ರಯೋಜನವು ಸರ್ವರಿಗೂ ಲಭಿಸುವಂತೆ ಮಾಡಬೇಕೆಂಬುದೇ ಸರ್ಕಾರದವರ ಧ್ಯೇಯವಾಗಿದೆ. ಆ ಧ್ಯೇಯವು ನೆರವೇರುವುದಕ್ಕೆ ಸಾಧಕವಾಗಿ ಸಂಸ್ಥಾನದಲ್ಲಿ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸವು ಹೆಚ್ಚು ಹೆಚ್ಚಾಗಿ ಹರಡುತ್ತಾ ಬಂದು ಅಭಿವೃದ್ಧಿಗೊಳ್ಳುವುದಕ್ಕೆ ತಕ್ಕ ಏರ್ಪಾಡು ಮಾಡಬೇಕೆಂಬುದೇ ಸರ್ಕಾರದವರ ಕಾರ್ಯನೀತಿಯಾಗಿದೆ. ಅದೇ ಅವರ ಕಾರ್ಯನೀತಿಯೆಂಬುದನ್ನು ಸರ್ಕಾರದವರು ಸ್ಪಷ್ಟಪಡಿಸಿಯೇ ಇದ್ದಾರೆ. ಈ ಉದ್ದೇಶವನ್ನು ನೆರವೇರಿಸುವುದಕ್ಕಾಗಿ ಸರ್ಕಾರದವರು ಈ ಕೆಲಸಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಎಲ್ಲ ಏರ್ಪಾಡುಗಳಲ್ಲಿಯೂ ಮತ್ತು ಕಾರ್ಯಕ್ರಮಗಳಲ್ಲಿಯೂ ಪ್ರಜಾಪ್ರತಿನಿಧಿಗಳು ತಮ್ಮೊಡನೆ ಹೆಚ್ಚು ಹೆಚ್ಚಾಗಿ ಸೇರಿ ಕೆಲಸಮಾಡುವಂತೆ ಆಗಿಂದಾಗ್ಗೆ ಅವಕಾಶಕಲ್ಪಿಸುತ್ತಾ ಬಂದಿದ್ದಾರೆ.

ಸರ್ಕಾರದವರು ಅನುಸರಿಸಿಕೊಂಡು ಬಂದ ಈ ಧೋರಣೆಯನ್ನು ಅತ್ಯಂತವಾಗಿ ಮುಂದುವರಿಸಿದುದರ ಪರಿಣಾಮವಾಗಿ 1930ನೆಯ ಇಸವಿಯಲ್ಲಿ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಕಾನೂನು ("ಎಲಿಮೆಂಟರಿ ಎಜುಕೇಷ್ಷ ಆಕ್ಟು") ಮಂಜೂರಾಗಿ ಜಾರಿಗೆ ಬಂದಿತು. ಡಿಸ್ಟ್ರಿಕ್ಟು ಬೋರ್ಡುಗಳೇ ಮುಂತಾದ ಸ್ಥಳೀಯ ಪ್ರಜಾಧಿಕಾರ ಸಂಸ್ಥೆಗಳಿಗೇ, ಆಯಾ ಸಂಸ್ಥೆಗಳ ಅಧಿಕಾರಕ್ಕೊಳಪಟ್ಟ ಪ್ರದೇಶಗಳಲ್ಲಿ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸಕ್ಕೆ ಏರ್ಪಾಡುಮಾಡುವುದನ್ನೂ ಮತ್ತು ಅದರ ಆಡಳಿತ ನಡೆಯಿಸುವುದನ್ನೂ ಸರ್ಕಾರದವರು ಆ ಆಕ್ಟಿನ ಮೇರೆಗೆ ಸಂಪೂರ್ಣವಾಗಿ ವಹಿಸಿಕೊಟ್ಟರು. ಎಂಟು ಡಿಸ್ಟ್ರಿಕ್ಟುಗಳಲ್ಲಿಯೂ ಎಂಟು ಡಿಸ್ಟ್ರಿಕ್ಟು ಸ್ಥಳೀಯ ವಿದ್ಯಾಭ್ಯಾಸದ ಅಧಿಕಾರ ಸಂಸ್ಥೆಗಳು ಏರ್ಪಟ್ಟುವು (ಡಿಸ್ಟ್ರಿಕ್ಟು ಬೋರ್ಡುಗಳೇ ಈ ಅಧಿಕಾರ ಸಂಸ್ಥೆಗಳು); ಮತ್ತು ನಾಲ್ಕು ಪಟ್ಟಣಗಳಲ್ಲಿ ಟೌನ್ ಸ್ಥಳೀಯ ವಿದ್ಯಾಭ್ಯಾಸದ ಅಧಿಕಾರ ಸಂಸ್ಥೆಗಳು ಏರ್ಪಟ್ಟುವು. (ಆಯಾ ಮುನಿಸಿಪಾಲಿಟಿಗಳೇ ಈ ಅಧಿಕಾರ ಸಂಸ್ಥೆಗಳು). ಆಯಾ ಸ್ಥಳೀಯ ವಿದ್ಯಾಭ್ಯಾಸದ ಅಧಿಕಾರ ಸಂಸ್ಥೆಯವರ ಅಧಿಕಾರಕ್ಕೊಳಪಟ್ಟ ಪ್ರದೇಶದಲ್ಲಿನ ಎಲ್ಲ ಸರ್ಕಾರಿ ಪ್ರೈಮರಿ ಸ್ಕೂಲುಗಳ ಮತ್ತು ಸರ್ಕಾರದ್ದಿಂದ ಸಹಾಯದ್ರವ್ಯವು ದೊರೆಯುತ್ತಿದ್ದ "ಏಯ್ಡೆಡ್" ಸ್ಕೂಲುಗಳ ಆಡಳಿತಾಧಿಕಾರವನ್ನೂ ಮತ್ತು ಆ ಸ್ಕೂಲುಗಳ ಸಿಬ್ಬಂದಿ, ಕಟ್ಟಡಗಳು ಮತ್ತು ಸಲಕರಣೆ ಸಾಮಗ್ರಿಗಳು ಇವೇ ಮುಂತಾದುವುಗಳ ಮೇಲಣ ಹತೋಟಿಯ ಅಧಿಕಾರವನ್ನೂ 1931ನೆಯ ಇಸವಿ ಜುಲೈ ಒಂದನೆಯ ತಾರೀಖಿನ ದಿವಾಗಾಯಿತು ಆಯಾ ಸಂಸ್ಥೆಗಳಿಗೆ ವಹಿಸಿಕೊಡಲಾಯಿತು. ಈ ಸಂಸ್ಥೆಗಳವರು ಅವರ ಅಧಿಕಾರವ್ಯಾಪ್ತಿಗೊಳಪಟ್ಟ ಪ್ರದೇಶದಲ್ಲಿರುವ ಪ್ರೈಮರಿ ಸ್ಕೂಲುಗಳ ಕೆಲಸವು ಅಚ್ಚುಕಟ್ಟಾಗಿ ನಡೆಯುವಂತೆ ಮಾಡುವುದು, ಹೊಸ ಹೊಸ ಪ್ರೈಮರಿ ಸ್ಕೂಲುಗಳನ್ನು ಏರ್ಪಡಿಸುವುದು ಮತ್ತು ಪ್ರೈಮರಿ ಸ್ಕೂಲು ವಿದ್ಯಾಭ್ಯಾಸವನ್ನು ಉತ್ತಮಪಡಿಸುವುದು ಈ ಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸಲು ಜವಾಬ್ದಾರರಾಗಿರಬೇಕೆಂದು ವಿಧಾಯಕವಾಯಿತು. ಪ್ರತಿಯೊಂದು ಸ್ಥಳೀಯ ವಿದ್ಯಾಭ್ಯಾಸದ ಅಧಿಕಾರ ಸಂಸ್ಥೆಯವರಿಗಾಗಿಯೂ "ಎಲಿಮೆಂಟರಿ ಎಜುಕೇಷ್ಷ ಫಂಡ್" ಎಂಬ ಹೆಸರಿನ ಬಿರುದ್ದೊಂದು ನಿಧಿಯನ್ನು ಏರ್ಪಡಿಸಲಾಯಿತು. ಆ ನಿಧಿಗಳಿಗೆ ಸರ್ಕಾರದವರು ಸಂಸ್ಥಾನದ ಹುಟ್ಟುವಳಿಯಿಂದ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಪೆಚ್ಚಕ್ಕಾಗಿ ಒದಗಿಸಬೇಕಾಗಿದ್ದ ಹಣವನ್ನೂ ಮತ್ತು ವಿದ್ಯಾಭ್ಯಾಸದ ಸೆಸ್ಸಿನ ವಸೂಲಿಯಿಂದ ಬರತಕ್ಕ ಹೊಲಗುಗಳನ್ನೂ ವರ್ಗಾಯಿಸಿ ಕೊಡಲಾಯಿತು.

ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಕ್ಟು ಜಾರಿಗೆ ಬಂದ ತರುವಾಯ ಒಂದು ವರ್ಷದೊಳಗಾಗಿ ಈ ಸಂಸ್ಥೆಗಳವರು, ನಿರ್ಬಂಧವಿಲ್ಲದ ರೀತಿಯಲ್ಲಿ, ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸ ಪ್ರಚಾರಕ್ಕಾಗಿ ಕೈಕೊಳ್ಳಬೇಕಾದ ಒಂದು ಕಾರ್ಯಕ್ರಮವನ್ನು ರಚಿಸಿ ಒಪ್ಪಿಸಬೇಕೆಂದು ವಿಧಾಯಕವಾಯಿತು. ಪ್ರೈಮರಿ ವಿದ್ಯಾಭ್ಯಾಸವನ್ನು ಪಡೆಯುವುದಕ್ಕಾಗಿ ಸ್ಕೂಲುಗಳಿಗೆ ಹೋಗಬಹುದಾಗಿರತಕ್ಕ ಮತ್ತು ಆರು ವರ್ಷಗಳಿಗೆ ಕಡಮೆಯಿಲ್ಲದೆಯೂ ಹನ್ನೆರಡು ವರ್ಷಗಳಿಗೆ ಹೆಚ್ಚಿಲ್ಲದೆಯೂ ವಯಸ್ಸುಳ್ಳವರಾಗಿರತಕ್ಕ ಎಲ್ಲ ಬಾಲಕ ಬಾಲಕಿಯರಿಗೂ ಸಾಕಾದಷ್ಟು ಸಂಖ್ಯೆಯ ಸ್ಕೂಲುಗಳನ್ನು ಹತ್ತು ವರ್ಷಗಳಿಗೆ ಮೀರದ ಒಂದು ಅವಧಿಯೊಳಗಾಗಿ ಒದಗಿಸಲು ಸಾಧ್ಯವಾಗುವ ರೀತಿಯಲ್ಲಿ ಆ ಕಾರ್ಯಕ್ರಮ ವಿವರವನ್ನು ಆ ಸಂಸ್ಥೆಗಳವರು ತಯಾರಿಸುವಂತೆಯೂ ವಿಧಾಯಕವಾಗಿದ್ದಿತು. ಅಲ್ಲದೆ, ಆಯಾ ಸಂಸ್ಥೆಗಳ ಅಧಿಕಾರಕ್ಕೊಳಪಟ್ಟ ಪ್ರದೇಶಗಳಲ್ಲಿ ಆರು ವರ್ಷಗಳಿಂದ ಹತ್ತು ವರ್ಷಗಳ ವಯಸ್ಸಿನೊಳಗಿರತಕ್ಕ ಎಲ್ಲ ಬಾಲಕ ಬಾಲಕಿಯರಿಗೂ ನಿರ್ಬಂಧಕವಾಗಿ ವಿದ್ಯಾಭ್ಯಾಸವನ್ನು ನಡೆಯಿಸುವುದಕ್ಕೆ ಸಾಧಕವಾದ ಒಂದು ಕಾರ್ಯಕ್ರಮದ ವಿವರವನ್ನು ಆ ಸಂಸ್ಥೆಗಳವರು ಹತ್ತು ವರ್ಷಗಳ ಕಾಲದೊಳಗಾಗಿ ಸರ್ಕಾರಕ್ಕೆ ಒಪ್ಪಿಸಬೇಕೆಂಬುದಾಗಿಯೂ ಸಹ ವಿಧಾಯಕವಾಗಿದ್ದಿತು.

1930ನೆಯ ಇಸವಿಯಲ್ಲಿ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಕ್ಟನ್ನು ಸಾದರು ಮಾಡಿದಾಗ್ಗೆ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಡಳಿತಾಧಿಕಾರವನ್ನೂ ಮತ್ತು ಜವಾಬ್ದಾರಿಯನ್ನೂ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಿಗೆ ವಹಿಸಿಕೊಡುವುದರಿಂದ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಪ್ರಚಾರಕ್ಕೆ ಒಹುಮಟ್ಟಿನ ಉತ್ತೇಜನವು ದೊರೆಯುವುದೆಂದು ಸರ್ಕಾರದವರು ನಿರೀಕ್ಷೆಯುನ್ನಿಟ್ಟುಕೊಂಡಿದ್ದರು. ಆದರೆ ಆ ನಿರೀಕ್ಷೆಯು ನೆರವೇರಿರುವುದಿಲ್ಲ. ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಕ್ಟು ಮಂಜೂರಾಗಿ ಈಗ ಸ್ವಲ್ಪ ಹೆಚ್ಚು ಕಡಮೆ ಹತ್ತು ವರ್ಷಗಳು ಕಳೆದಿದ್ದಾಗ್ಗೂ ಕೂಡ, ಪ್ರೈಮರಿ ಸ್ಕೂಲುಗಳ ಸಂಖ್ಯೆಯಾಗಲಿ ಅಥವಾ ಅವುಗಳಲ್ಲಿ ವ್ಯಾಸಂಗ ಮಾಡುವ ಬಾಲಕಬಾಲಕಿಯರ ಸಂಖ್ಯೆಯಾಗಲಿ ಅಷ್ಟೇನೂ ಗಣನೀಯವಾದ ಮಟ್ಟಿಗೆ ಹೆಚ್ಚಿಲ್ಲ. ಈ ರೀತಿ ನಿರಾಶಾಜನಕವಾದ ಫಲಿತಾಂಶ ಉಂಟಾಗುವುದಕ್ಕೆ ಅನೇಕ ಕಾರಣಗಳಿರುವಂತೆ ತೋರುತ್ತದೆ. ಆ ಪೈಕಿ ಅತ್ಯಂತ ಮುಖ್ಯವಾದ ಕಾರಣವೆಂದರೆ ತಕ್ಕಷ್ಟು ಹಣದ ಅನುಕೂಲವಿಲ್ಲದಿರುವುದು. ಜನಗಳ ಮೇಲೆ ಹೊಸ ತೆರಿಗೆಯನ್ನು ವಿಧಾಯಕ ಮಾಡುವುದು ಜನಗಳಿಗೆ ಸಮ್ಮತವಿಲ್ಲವೆಂದು ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಿಗೆ ಅಭಿಪ್ರಾಯವಿದೆ. ಅದರಲ್ಲಿಯೂ ಮುಖ್ಯವಾಗಿ ವ್ಯವಸಾಯಗಾರರಿಗೆ ಮುಗ್ಗಟ್ಟಿನ ಸ್ಥಿತಿಯೊದಗಿರತಕ್ಕ ಮತ್ತು ಸಾರ್ವತ್ರಿಕವಾಗಿಯೂ ಮುಗ್ಗಟ್ಟಿನ ಸ್ಥಿತಿಯೊದಗಿರತಕ್ಕ ಈಗಿನ ಸಮಯದಲ್ಲಿ ಹೊಸ ತೆರಿಗೆಯನ್ನು ವಿಧಿಸುವುದರಿಂದ ಜನಗಳ ವಿಶ್ವಾಸವನ್ನು ತಾವು ಕಳೆದುಕೊಳ್ಳುವಂತಾಗುವುದೆಂದೂ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳವರು ಭಾವಿಸಿರುವಂತಿದೆ. ಅಲ್ಲದೆ, ವಿದ್ಯಾಭ್ಯಾಸ ಪ್ರಚಾರದ ಏರ್ಪಾಡುಗಳನ್ನು ನಡೆಯಿಸಲು ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳವರು ಯಾವ ಕಾರ್ಯಕ್ರಮವನ್ನೂ ಕೈಕೊಳ್ಳದೆ ತಪ್ಪಿದಲ್ಲ, ಸರ್ಕಾರದವರೇ ಆ ಕಾರ್ಯಕ್ರಮವನ್ನು ಕೈಕೊಳ್ಳಲು 1930ನೆಯ ಇಸವಿಯ ಆಕ್ಟಿನಲ್ಲಿ ಅವಕಾಶ ಕಲ್ಪಿಸಿ ನಿಯಮಗಳನ್ನೇರ್ಪಡಿಸಲಾಗಿದೆ. ಅದೂ ಸಹ, ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳವರು ಈ ವಿಚಾರದಲ್ಲಿ ಉದಾಸೀನರಾಗಿ ಮುಂದೇನಾಗುವುದೋ ನೋಡೋಣವೆಂತ ಆಲಸ್ಯಭಾವದಿಂದಿರಲು ಒಹುಮಟ್ಟಿಗೆ ಕಾರಣವಾಗಿದೆ.

ಈ ಬಗೆಯ ಪರಿಸ್ಥಿತಿಯನ್ನು ಹೋಗಲಾಡಿಸಬೇಕೆಂಬ ಉದ್ದೇಶದಿಂದ [redacted]ರ್ಕಾರದವರು 1937ನೆಯ ಇಸವಿಯಲ್ಲಿ ಒಂದು ಸಮಿತಿಯನ್ನು ನೇಮಕಮಾಡಿದರು. ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸ[redacted]ಕಾರಕಾರ್ಯವು ಹೆಚ್ಚಾಗಿ, ಮುಂದುವರಿಯದೆ ನಿಧಾನವಾಗಿ ನಡೆದಿರುವುದಕ್ಕೆ ಕಾರಣಗಳೇನೆಂಬುದನ್ನು ಪರಿಶೀಲಿಸಿ[redacted] ಫಲತಾಂತಗಳುಂಟಾಗು

ವಂತೆ ಮಾಡಲು ಯಾವ ಏರ್ಪಾಡುಗಳನ್ನು ಮಾಡಬೇಕೆಂಬುದನ್ನು ಸಲಹೆಮಾಡಬೇಕೆಂಬುದಾಗಿ ಆ ಸಮಿತಿಯವರಿಗೆ ಸರ್ಕಾರದವರು ಆಜ್ಞೆ ಮಾಡಿದರು. ಸಮಿತಿಯವರು ಪರಿಸ್ಥಿತಿಯನ್ನು ಕ್ರೂಲಂಕಷವಾಗಿಯೂ ಮತ್ತು ವಿಶೇಷ ಜಾಗರೂಕತೆಯಿಂದಲೂ ಪರಿಶೀಲಿಸಿ ನೋಡಿದ್ದಾರೆ. ಹಾಗೆ ಪರಿಶೀಲಿಸಿ ನೋಡಿದನಂತರ ಅವರು ತೀರ್ಮಾನಕ್ಕೆ ಬಂದಿರುವುದೇನೆಂದರೆ :—ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಮೇಲ್ಗಿನ ಹಕ್ಕೋಟಿಯನ್ನು ಸ್ಥಳೀಯ ವಿದ್ಯಾಭ್ಯಾಸದ ಅಧಿಕಾರ ಸಂಸ್ಥೆಗಳವರಿಗೆ ವಹಿಸಿಕೊಟ್ಟ ಮೇಲೆ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸವು ವಿಶೇಷವಾಗಿ ಮುಂದುವರಿದಿಲ್ಲ; ಈಗಿನ ನೆಲೆಯಲ್ಲಿಯೇ "ಪ್ರೈಮರಿ" ವಿದ್ಯಾಭ್ಯಾಸದ ಏರ್ಪಾಡನ್ನು ನಿಲುಗಡೆಯಲ್ಲಿ ನಿಲ್ಲಿಸಿರುವುದು ಯುಕ್ತವಲ್ಲ; ಹಾಗೆ ನಿಲ್ಲಿಸಿದ್ದರೆ ಸಂಸ್ಥಾನದ ಶಾಶ್ವತ ಪ್ರಯೋಜನಕ್ಕೇ ಹಾನಿಯುಂಟಾಗುವುದು ನಿಂಡಿತ; ಆದಕಾರಣ ಅದಕ್ಕವಕಾಶವನ್ನು ತಪ್ಪಿಸಬೇಕು. ಹೇಗಾದರೂ ಮಾಡಿ ಅದನ್ನು ಮುಂದುವರಿಸುವ ಪ್ರಯತ್ನಗಳನ್ನು ಕೂಡಲೆ ನೆರವೇರಿಸಲೇಬೇಕು.—ಎಂಬವು ಸಮಿತಿಯವರ ನಿರ್ಧಾರಗಳು: "ಪ್ರೈಮರಿ" ವಿದ್ಯಾಭ್ಯಾಸದ ಆಡಳಿತವನ್ನು ಸರ್ಕಾರದವರು ಮತ್ತೆ ವಹಿಸಿಕೊಳ್ಳುವುದೇ ಬಹಳ ಉತ್ತಮವೆಂದೂ ಸಮಿತಿಯವರು ಅಭಿಪ್ರಾಯ ಪಟ್ಟಿದ್ದಾರೆ. "ಪ್ರೈಮರಿ" ಸ್ಕೂಲುಗಳ ಆಡಳಿತವನ್ನು ವಿದ್ಯಾಭ್ಯಾಸದ ಇಲಾಖೆಯ ಮೂಲಕ ಸರ್ಕಾರದವರೇ ನಡೆಯಿಸಬೇಕೆಂದೂ ಸಮಿತಿಯವರು ಅಭಿಪ್ರಾಯಪಟ್ಟಿದ್ದಾರೆ. ಹಾರ್ಟಾಗ್ ಸಮಿತಿಯವರೂ ಸಹ ಅದೇ ಅಭಿಪ್ರಾಯವನ್ನೇ ನಿರ್ದಿಷ್ಟವಾಗಿ ವ್ಯಕ್ತಪಡಿಸಿರುತ್ತಾರೆ. ಈ ಸಂಬಂಧದಲ್ಲಿ ಸಮಿತಿಯವರು ಮತ್ತೊಂದು ಸೂಚನೆಯನ್ನೂ ಕೊಟ್ಟಿದ್ದಾರೆ. ಸರ್ಕಾರದವರು ಈ ಏರ್ಪಾಡುಗಳನ್ನು ಕೈಕೊಳ್ಳುವುದರಲ್ಲಿ, ಅದರಲ್ಲಿಯೂ ಮುಖ್ಯವಾಗಿ ಆ ಸಂಬಂಧವಾದ ವೆಚ್ಚಕ್ಕೆ ಹಣವನ್ನೊದಗಿಸುವ ಸಾಧನೋಪಾಯಗಳಿಗೆ ಏರ್ಪಾಡುಮಾಡುವುದರಲ್ಲಿ, ಜನಸಾಮಾನ್ಯದಲ್ಲಿ ಅತ್ಯಧಿಕ ಭಾಗದವರಿಗೆ ಸಮ್ಮತವಾಗಿರುವಂಥ ಏರ್ಪಾಡುಗಳನ್ನೇ ಕೈಕೊಳ್ಳಬೇಕೆಂಬುದೇ ಸಮಿತಿಯವರು ಮಾಡಿರುವ ಆ ಸೂಚನೆ.

ಸಮಿತಿಯವರು ಸಲಹೆಮಾಡಿರುವ ಏರ್ಪಾಡಿನ ಮುಖ್ಯವಾದ ಆಶಯವಿಷ್ಟು :—ಮೈದಾನ ಪ್ರದೇಶಗಳಲ್ಲಿರುವ ಗ್ರಾಮಗಳ ಪೈಕಿ 500 ಮತ್ತು ಅಷ್ಟಕ್ಕಿಂತಲೂ ಹೆಚ್ಚು ಪ್ರಜಾಸಂಖ್ಯೆಯುಳ್ಳ ಮತ್ತು ಈಗ ಒಂದು ಸ್ಕೂಲು ಇಲ್ಲದಿರುವ ಪ್ರತಿಯೊಂದು ಗ್ರಾಮದಲ್ಲಿಯೂ ಕೂಡಲೆ ಒಂದು ಸ್ಕೂಲನ್ನೇರ್ಪಡಿಸಬೇಕು; ಮಲೆನಾಡು ಪ್ರದೇಶದಲ್ಲಿರುವ ಗ್ರಾಮಗಳ ಪೈಕಿ 300 ಮತ್ತು ಅಷ್ಟಕ್ಕಿಂತಲೂ ಹೆಚ್ಚು ಪ್ರಜಾಸಂಖ್ಯೆಯುಳ್ಳ ಮತ್ತು ಈಗ ಒಂದು ಪಾಠಶಾಲೆಯೂ ಇಲ್ಲದಿರುವ ಪ್ರತಿಯೊಂದು ಗ್ರಾಮದಲ್ಲಿಯೂ ಕೂಡಲೆ ಒಂದು ಸ್ಕೂಲನ್ನೇರ್ಪಡಿಸಬೇಕು. ಅಂಥ ಗ್ರಾಮಗಳು ಸುಮಾರು 750 ಇವೆ. ಆದುದರಿಂದ ಈ ಎಲ್ಲ ಗ್ರಾಮಗಳಿಗೂ ಸ್ಕೂಲುಗಳನ್ನು ಒದಗಿಸಲು ಸಾಧ್ಯವಾಗುವಂತೆ ಪ್ರತಿಯೊಂದು ವರ್ಷದಲ್ಲಿಯೂ 250 ಸ್ಕೂಲುಗಳನ್ನು ಏರ್ಪಡಿಸುತ್ತ ಬಂದು ಮುಂದಿನ ನಾಲ್ಕು ವರ್ಷಗಳೊಳಗಾಗಿ 1,000 ಸ್ಕೂಲುಗಳನ್ನು ಏರ್ಪಡಿಸಬೇಕು—ಇದೇ ಸಮಿತಿಯವರು ಸಲಹೆ ಮಾಡಿರುವ ಏರ್ಪಾಡಿನ ಮುಖ್ಯವಾದ ಆಶಯ.

ವಿದ್ಯಾಭ್ಯಾಸಕ್ಕಾಗಿ ಸರ್ಕಾರದವರು ಮಾಡುತ್ತಿರುವ ವೆಚ್ಚವು ಕ್ರಮವಾಗಿ ಹೆಚ್ಚುತ್ತಾ ಬರುತ್ತಿದೆ. ಸರ್ಕಾರದವರಿಗೆ ಈಗ ಬರುತ್ತಿರುವ ಹುಟ್ಟುವಳಿಯೆಷ್ಟು, ಮತ್ತು ಅವರು ಆ ಹುಟ್ಟುವಳಿಯಿಂದ ವಹಿಸಬೇಕಾದ ನಾನಾ ಬಾಬುಗಳ ವೆಚ್ಚವೆಷ್ಟು ಎಂಬ ಸಂಗತಿಗಳನ್ನು ಕುರಿತು ಆಲೋಚಿಸಿ ನೋಡಿದಲ್ಲಿ, ಮೇಲೆ ಸೂಚಿತವಾಗಿರುವ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಪ್ರಚಾರಕ್ಕಾಗಿ ತಗಲತಕ್ಕ ವೆಚ್ಚವನ್ನೆಲ್ಲ ಸರ್ಕಾರದವರು ಸಂಪೂರ್ಣವಾಗಿ ತಾವೇ ವಹಿಸಿಕೊಳ್ಳಲು ಅವರಿಗೆ ಸಾಧ್ಯವಿಲ್ಲವಾಗಿದೆ. ಆದುದರಿಂದ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸವು ಸಾರ್ವತ್ರಿಕವಾಗಿ ಹರಡಿ ಅಭಿವೃದ್ಧಿಗೊಳ್ಳಬೇಕೆಂಬ ಉದ್ದೇಶವು ನೆರವೇರಬೇಕಾದಲ್ಲಿ ಹೆಚ್ಚಿಗೆ ವರಮಾನದ ಸಾಧನೋಪಾಯಗಳನ್ನು ಹವಣಿಸಿಕೊಳ್ಳಬೇಕಾಗುವುದು. ಆದಕಾರಣ, ಈಗ ಲೋಕಲ್ ಸೆಸ್ಸನ್ನು ವಿಧಾಯಕ ಮಾಡಿರುವ ಜಮಾನು ಕಂದಾಯ, ಎಕ್ಸೈಜು ಮತ್ತು ಫಾರೆಸ್ಟು ಸಂಬಂಧವಾದ ಎಲ್ಲ ವರಮಾನದ ಬಾಬುಗಳ ಮೇಲೂ ರೂಪಾಯಿ ಒಂದಕ್ಕೆ ಮೂರು ಕಾಸುಗಳಂತೆ ಸೆಸ್ಸನ್ನು ವಿಧಾಯಕ ಮಾಡಬೇಕೆಂದೂ, ಮತ್ತು ಮುನಿಸಿಪಲ್ ವರಮಾನದ ಕೆಲವು ಬಾಬುಗಳ ಮೇಲೆ ರೂಪಾಯಿಗೆ ಒಂದಾಣೆಯಂತೆ ಒಂದು ಸೆಸ್ಸನ್ನು ವಿಧಾಯಕ ಮಾಡಬೇಕೆಂದೂ ಸಮಿತಿಯವರು ಸೂಚಿಸಿರುತ್ತಾರೆ. ಹೀಗೆ ಇವೆರಡು ಸೆಸ್ಸುಗಳನ್ನು ವಿಧಾಯಕ ಮಾಡುವುದರಿಂದ ಸುಮಾರು 3.3 ಲಕ್ಷ ರೂಪಾಯಿಗಳ ಹುಟ್ಟುವಳಿ ಬರುವುದಾಗಿ ನಿರೀಕ್ಷೆಯಿದೆಯೆಂದೂ, ಈ ಹುಟ್ಟುವಳಿಯಷ್ಟೇ ಸಹಾಯ ದ್ರವ್ಯವನ್ನು ಸರ್ಕಾರದವರು ಕೊಡಬೇಕೆಂದೂ, ಹಾಗೆ ಮಾಡಿದಲ್ಲಿ ಈಗ ಸೂಚಿತವಾಗಿರತಕ್ಕ ಏರ್ಪಾಡು ಸುಸೂತ್ರವಾಗಿ ನಡೆದುಕೊಂಡು ಬರಲು ಅನುಕೂಲವಾಗುವುದೆಂದೂ ಸಮಿತಿಯವರು ಸೂಚಿಸಿರುತ್ತಾರೆ.

ಪ್ರೈಮರಿ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಡಳಿತವನ್ನು ಸರ್ಕಾರದವರೇ ವಹಿಸಿಕೊಳ್ಳಬೇಕೆಂಬುದಾಗಿ ಸಲಹೆಯಾಗಿದೆಯಷ್ಟೆ. ಅದರ ಜೊತೆಗೆ, ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸಪ್ರಚಾರ ಕಾರ್ಯದಲ್ಲಿ ಪ್ರಜೆಗಳ ಪ್ರತಿನಿಧಿಗಳ ಸಹಾಯವನ್ನು ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೂ ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಬೇಕೆಂಬುದಾಗಿ ಸೂಚಿತವಾಗಿದೆ. ಏಕೆಂದರೆ, ಪ್ರಜೆಗಳ ಪ್ರತಿನಿಧಿಗಳನ್ನು ಆ ಕಾರ್ಯದಲ್ಲಿ ಸೇರಿಸಿಕೊಳ್ಳುವುದರಿಂದ, ಅವರು ತಮ್ಮ ತಮ್ಮ ಸ್ಥಳಗಳ ಆವಶ್ಯಕತೆಗಳನ್ನು ಬಲ್ಲವರಾದ ಅನುಭವಸ್ಥರಾಗಿರುವ ಕಾರಣ, ಉತ್ತಮ ರೀತಿಯ ಸಲಹೆಕೊಟ್ಟು ನೆರವಾಗಲು ಅವಕಾಶ ದೊರೆತಂತಾಗುವುದು. ಅವರು ಸರ್ಕಾರಿ ಅಧಿಕಾರಿಗಳಿಗೆ ನೆರವಾಗಿ ಸಹಾಯಮಾಡಲು ಅವರನ್ನು ಆ ರೀತಿ ಸೇರಿಸಿಕೊಳ್ಳುವಂತೆ ಕಾನೂನಿನ ಚೌಕಟ್ಟಿನಲ್ಲಿಯೇ ಅವಕಾಶ ಕಲ್ಪಿಸಿ ತಕ್ಕ ನಿಯಮವನ್ನೇರ್ಪಡಿಸುವುದು ಆವಶ್ಯಕವೆಂದೂ ತೋರಿಬಂದಿದೆ.

ಈ ಅಂಶಗಳನ್ನೆಲ್ಲ ಗಮನದಲ್ಲಿಟ್ಟುಕೊಂಡು ಈಗ ಮಸೂದಾ ಕಾನೂನನ್ನು ರಚಿಸಲಾಗಿದೆ. ಅದು ಕಾನೂನಾದೊಡನೆಯೇ 1930ನೆಯ ಇಸವಿಯ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಕ್ಟೂ ಮತ್ತು ಅದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ತಿದ್ದುಪಡಿ ಆಕ್ಟಾದ 1933ನೆಯ ಇಸವಿಯ [redacted]ನೆಯ ನಂಬರಿನ ಆಕ್ಟೂ ರದ್ದಾಗಿ ಅದು ಜಾರಿಯಲ್ಲಿ ಬರುವಂತೆ ಅದರಲ್ಲಿ ನಿಯಮವು ಏರ್ಪಟ್ಟಿದೆ. ಈಗ [redacted] ಮಸೂದಾ ಕಾನೂನು ಚಿಕ್ಕದಾಗಿದೆ. ಸ್ಥಳೀಯ ವಿದ್ಯಾಭ್ಯಾಸದ ಅಧಿಕಾರ ಸಂಸ್ಥೆಗಳಿಂದ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಡಳಿತವನ್ನೂ ಹತೋಟಿಯನ್ನೂ ಸರ್ಕಾರದವರು ವಹಿಸಿಕೊಳ್ಳುವುದಕ್ಕಾಗಿ ಅದರಲ್ಲಿ ನಿಯಮವು ಏರ್ಪಟ್ಟಿದೆ.

ಮಸೂದಾ ಕಾನೂನಿನಲ್ಲಿ, ಪ್ರಜೆಗಳ ಪ್ರತಿನಿಧಿಗಳನ್ನೊಳಗೊಂಡ ಸಮಿತಿಗಳನ್ನೇರ್ಪಡಿಸಲು ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಲಾಗಿದೆ. ಈ ನಿಯಮದ ಪ್ರಕಾರ ಪ್ರತಿಯೊಂದು ಡಿಸ್ಟ್ರಿಕ್ಟಿಗೂ ಒಂದೊಂದು ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಯನ್ನೂ ಒಟ್ಟು ಸಂಸ್ಥಾನಕ್ಕೆಲ್ಲಾ ಕೇಂದ್ರ ಸಂಸ್ಥೆಯಾಗಿ "ಸೆಂಟ್ರಲ್‌ಬೋರ್ಡ್" ಒಂದನ್ನೂ ಏರ್ಪಡಿಸಲಾಗುವುದು. ಪ್ರತಿಯೊಂದು ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಯಲ್ಲಿಯೂ ಆಯಾ ಡಿಸ್ಟ್ರಿಕ್ಟು ಬೋರ್ಡಿನಿಂದ ಚುನಾಯಿತರಾದ ಸದಸ್ಯರಿರುವರು. ಅವರಿಗೆ ಸಮವಾದ ಸಂಖ್ಯೆಯಷ್ಟು ಸದಸ್ಯರನ್ನು ಸರ್ಕಾರದವರು "ನಾಮಿನೇಷ್" ಮೂಲಕ ನೇಮಕಮಾಡುವರು. ಉರ್ದು ವಿದ್ಯಾಭ್ಯಾಸ, ನಿಮ್ನ ತರಗತಿಗಳವರೆಗಿನ ವಿದ್ಯಾಭ್ಯಾಸ, ಬಾಲಕಿಯರ ವಿದ್ಯಾಭ್ಯಾಸ ಮತ್ತು ಮುನಿಸಿಪಾಲಿಟಿಗಳು—ಇವುಗಳ ಪರವಾಗಿ ತಕ್ಕಷ್ಟು ಮಂದಿ ಪ್ರತಿನಿಧಿಗಳು ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಗಳಲ್ಲಿ ಸದಸ್ಯರಾಗಿರುವಂತೆ ಮಾಡುವುದೇ, ಸರ್ಕಾರದವರು "ನಾಮಿನೇಷ್" ಮೂಲಕ ಅವರನ್ನು ನೇಮಕಮಾಡುವುದರ ಉದ್ದೇಶ. ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಗಳವರು ತಮಗೆ ಡೊರೆಯುವಷ್ಟು ಸಾಧನ ಸಂಪತ್ತುಗಳ ಸಹಾಯದಿಂದ, ತಮ್ಮ ಅಧಿಕಾರಕ್ಕೊಳಪಟ್ಟ ಪ್ರದೇಶದಲ್ಲಿ "ಪ್ರೈಮರಿ" ವಿದ್ಯಾಭ್ಯಾಸವು ಹರಡಿ ಮುಂದುವರಿಯುವಂತೆ ಮಾಡಲು ತಕ್ಕ ಅಂದಾಜುಗಳನ್ನೂ ಮತ್ತು ಕಾರ್ಯಕ್ರಮದ ವಿವರಗಳನ್ನೂ ಪರ್ಯಾಲೋಚನೆಮಾಡಿ ನಿದ್ದ ಗೊಳಿಸುವುದೇ ಅವರ ಮುಖ್ಯ ಕರ್ತವ್ಯವಾಗಿರುತ್ತದೆ.

ಮೇಲೆ ಸೂಚಿಸಿದ "ಸೆಂಟ್ರಲ್ ಬೋರ್ಡ್" ಎಂಬ ಕೇಂದ್ರ ಸಂಸ್ಥೆಯಲ್ಲಿ ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಗಳಿಂದ ಚುನಾಯಿಸಿ ಕಳುಹಿಸಲ್ಪಟ್ಟ ಪ್ರತಿನಿಧಿಗಳೂ ಮತ್ತು ಸರ್ಕಾರದವರಿಂದ "ನಾಮಿನೇಷ್" ಮೂಲಕ ನೇಮಕಮಾಡಲ್ಪಟ್ಟವರೂ ಸದಸ್ಯರಾಗಿರುವರು. ಪ್ರತಿಯೊಂದು ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಯ ಪರವಾಗಿಯೂ ಒಬ್ಬರು ಸದಸ್ಯರಂತೆ ಚುನಾಯಿಸಲ್ಪಡುವರು. ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಗಳ ಪ್ರತಿನಿಧಿಗಳಿಗೆ ಸಮವಾದ ಸಂಖ್ಯೆಯಷ್ಟು ಮಂದಿ ಸದಸ್ಯರನ್ನು ಸರ್ಕಾರದವರು "ನಾಮಿನೇಷ್" ಮೂಲಕ ನೇಮಕ ಮಾಡುವರು. ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಗಳವರು ನಡೆಯಿಸತಕ್ಕ ಪ್ರಯತ್ನಗಳನ್ನೆಲ್ಲ ಕ್ರೋಢೀಕರಿಸಿ ಅವು ಹೊಂದಿಕೆಯಿಂದ ನೆಡಪೇರುವಂತೆ ಮಾಡುವುದು, ಅವರ ಸಲಹೆಗಳನ್ನೂ ಮತ್ತು ಅಂದಾಜು ವಿವರಗಳನ್ನೂ ಪರಿಶೀಲಿಸುವುದು, ಮತ್ತು ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾನ ಪ್ರಚಾರ ಕಾರ್ಯನೀತಿಯ ವಿಷಯದಲ್ಲಿ ಸರ್ಕಾರದವರಿಗೆ ಸಲಹೆ ಹೇಳುವುದು—ಇವುಗಳೇ ಈ ಕೇಂದ್ರಸಂಸ್ಥೆಯ ಕರ್ತವ್ಯಗಳು.

ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಖರ್ಚುವೆಚ್ಚಗಳಿಗಾಗಿ ಈಗಿನಂತೆಯೇ ಪ್ರತಿ ಡಿಸ್ಟ್ರಿಕ್ಟಿನಲ್ಲಿಯೂ ಒಂದು ನಿಧಿಯಿರುತ್ತದೆ. ಈಗ ಆಯಾ ಡಿಸ್ಟ್ರಿಕ್ಟುಗಳಲ್ಲಿ ಏರ್ಪಟ್ಟಿರತಕ್ಕ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ನಿಧಿಗಳಿಗೆ ಯಾವಯಾವ ಬಾಬುಗಳಿಂದ ಹಣವನು ಜಮೆಕಟ್ಟಲಾಗುತಿದೆಯೋ ಅದೇ ಬಾಬುಗಳಿಂದ ಇನ್ನು ಮುಂದೆಯೂ ಆ ಡಿಸ್ಟ್ರಿಕ್ಟು ನಿಧಿ

MYSORE ELECTIONS OFFENCES AND INQUIRIES BILL.

Statement of General Principles.

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The recent enactment of the Government of Mysore Act, 1940, has resulted in a considerable widening of the franchise. The franchise for the District Boards in the State, which is the same as for the Representative Assembly, has also been correspondingly widened.

As elections will therefore play an important part in the new public life of Mysore, it is considered desirable that the public conscience should be markedly drawn to the danger of corrupt practice in relation to the franchise whether that franchise relates to legislative or other bodies. It is of th greatest importance, in order to safeguard the free and unhampe exercise of the vote and to secure the successful working of th system of election, that the principle of the purity of the franchise should be insisted on in the criminal law of the country.

The Joint Parliamentary Committee appointed to report on the Government of India (amendment) Bill, 1919, recommended the enactment of such a measure. They said: "The Committee are firmly convinced that a complete and stringent Corrupt Practices Act should be brought into operation before the first election to the Legislative Councils. There is no such Act at present in existence in India and the Committee are convinced that it will not be less required in India than it is in other countries". The Indian Elections Offences and Inquiries Act, 1920, was accordingly passed into law in September 1920

The present Bill is modelled on the British Indian measure and it is made up of two parts. The first part makes certain amendments to the Indian Penal Code, as in force in Mysore, and the Criminal Procedure Code. This part applies

not

not only to elections to the legislative Bodies constituted under the Government of Mysore Act, 1940, but to elections to all public bodies generally. It penalises the five new offence created by this Bill, namely, bribery, undue influence, personation, the publication of false statement of fact and the failure to keep accounts.

Part II applies only to elections to legislative Bodies constituted under the new Act, provision being made for the conduct of inquiries in regard to disputed elections to them The Commissioner appointed to hold such inquiries will have the powers of a Court under the Code of Civil Procedure, 1911, when trying a suit. The provisions of the Indian Evidence Act, 1872 as in force in Mysore, will apply to such inquiries. In addition to certain other incidental provisions, this Part also enacts that a person convicted under Chapter IX A of the Indian Penal Code, as in force in Mysore, will be disqualified from certain appointments and offices. Government are however given the power to remove such disqualification in any particular case Provision is also made for the maintenance of secrecy of voting.

24-1-41

Draft ~~Final Note~~. S. N.

Subject:- Promulgation of the Election Offences and Inquiries Bill.

On the 16th September 1940 the gracious approval of His Highness was accorded to place the general principles of the Election Offences and Inquiries Bill before the Dasara Session of the Representative Assembly (October 1940) and to introduce the Bill itself thereafter before the Legislative Council.

The statement of general principles was placed before the Representative Assembly in October 1940 and ~~accepted~~ approved by it. The Legislative Council in which the Bill was introduced at its recent sitting, has passed the Bill at one sitting after suspending the Rules of Business and Standing Orders.

I solicit the gracious assent of His Highness to promulgate the Bill into law.

Dewan (incharge)
~~Member of Council~~.

Subject :- Promulgation of the Election Offences and Inquiries Bill

On the 16th September 1960 the previous approval of His Highness was accorded to place the general principles of the Election Offences and Inquiries Bill before the Second Session of the Representative Assembly (October 1960) and to introduce the Bill itself thereafter before the Legislative Council

The General Principles Statement of was placed before the Representative Assembly in October 1960 and accepted by it. The Legislative Council in turn which the Bill was introduced ~~the same~~ at its recent sitting, has passed the Bill at one sitting after suspending the Rules of Business and Standing Orders

I submit the previous assent of His Highness to promulgate the Bill